

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83748 of 2019

Arising Out of PS. Case No.-278 Year-2018 Thana- JAGDISHPUR District- Bhojpur

Dhanji Yadav, Son of Ramishwar Yadav, Resident of Village - Bimawan Ke
Mathiya, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Jagdishpur P.S. Case No.278 of 2018 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to local politics. Learned counsel submits that there is no recovery from the conscious possession of this petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein though the petitioner is named amongst three persons who are said to be involved in selling of illicit liquor but in the FIR it is not alleged that this petitioner has seen at the place of occurrence or



was among the persons who jumped into the canal and fled away and further that co-accused Manjee Yadav has been granted privilege of regular bail by a learned coordinate Bench of this Court in Cr.Misc.52717/2019 and Nandji Yadav has also been enlarged on bail in Cr.Misc.No.67529/2018, the petitioner has no criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District and Sessions Judge, Bhojpur, Ara in connection with Jagdishpur P.S. Case No.278 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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