

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82246 of 2019

Arising Out of PS. Case No.-809 Year-2019 Thana- MASAUDHI District- Patna

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Awadhesh Yadav @ Awadhesh Prasad Son of Late Devin Yadav Resident of
Village - Sukatia, P.S.- Masaurhi, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and

Additional Public Prosecutor for the State.

The petitioner seeks bail in Masaurhi P.S. Case No.
809 of 2019 Special Case No. 10125 of 2019, registered for the
offence punishable under section 30(a)(d) of the Bihar
Prohibition and Excise Act.

120 litres of country made liquor is alleged to have
been recovered from the bank of a river. Petitioner was
apprehended on the spot.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Nothing has been recovered from conscious possession of
this petitioner. The provision of section 100 Cr.P.C has not been
followed. Petitioner is in custody since 15.11.2019 having clean



antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Masaurhi P.S. Case No. 809 of 2019, Special Case No. 10125 of 2019, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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