

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82243 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Bablu Yadav S/o Nand Lal Yadav @ Nande Yadav R/o village- Kavilasi, P.S.-
Singhiya, District- Samstipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vishwa Mohan Kumar Sinha

For the Opposite Party/s : Mr.Bishweshwar Ram

=====

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 Kusheshwar Asthan P.S.
Case No. 59 of 2019, registered for the offence punishable
under Sections 30(a), 38(1), 41(1) and 47 of the Bihar
Prohibition and Excise Act, 2016.

2664 litres of liquor is alleged to have been
recovered from a truck.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Petitioner is neither the owner nor the driver of the
vehicle in question. Co-accused in his confession has taken the
name of this petitioner. The provision of section 100 Cr.P.C has
not been followed. Other co-accused have been granted bail by



a coordinate bench of this court vide order dated 29.05.2019 passed in Cr. Misc. No. 35270 of 2019. Petitioner is in custody since 21.10.2019.

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 2nd Additional District and Sessions Judge-cum-Special Judge (Excise Act), Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 59 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)

vinita/-

U		T	
---	--	---	--

