

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.353 of 2020

Arising Out of PS. Case No.-443 Year-2019 Thana- BIHPUR District- Bhagalpur

RAJU YADAV, aged about 21 years, Male, Son of Santuram Singh @ Soorat Ram Resident of Village - Nagla Bhud @ Naglabhut, P.S.- Dado, Distt - Aligarh (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 30(a), 38(i) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 915.465 liters of foreign liquor from a vehicle on which petitioner was a co-driver.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case . Nothing was recovered from his conscious possession. There is no independent seizure list witness. Petitioner has no criminal antecedent and is in custody since 29.11.2019.

Considering the aforesaid facts and circumstances



of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-special Judge, Excise, Bhagalpur, in connection with Bihpur (Jhandapur O.P.) Case No. 443 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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