

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3769 of 2020

Arising Out of PS. Case No.-310 Year-2019 Thana- MAIRWAN District- Siwan

NAWAB CHAUDHARY @ NABAB YADAV Son of Motichand Chaudhary
Resident of Village- Imlauli, Domdih, P.S.- Mairwa, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) and 38(2) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 855.36 litres of foreign liquor from a car and room near the brick kiln of Umesh Singh and two accused Saurabh Singh and Rajesh Rajbhar were apprehended on the spot.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Saurabh Singh and Rajesh Rajbhar. Nothing was recovered from the possession of petitioner. Petitioner has no



criminal antecedent and he is in custody since 11.12.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mairwa P.S. Case No.310 of 2019, with following 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 properly 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 bond.

(S. Kumar, J)

Sanjay/-

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