

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1495 of 2020**

Arising Out of PS. Case No.-311 Year-2019 Thana- KAKO District- Jehanabad

SANJAY YADAV Son of Charitra Yadav @ Chalitar Yadav Resident of
Village-Lachhu Bigha, Erki, P.S. and District-Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Paras Nath, Advocate

For the Opposite Party : Mr.Atul Chandra, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

There is allegation of recovery of about 80 liters of
country made liquor from a bag kept on the side of the road near
village Devraj Bigha.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he is no
way concerned with the recovery, as the same has not been
recovered from his conscious possession. Petitioner has got no
criminal antecedent. The mandatory provision under Section
100 Cr.P.C. has not been followed at the time of seizure.

Considering the facts of the case, let the petitioner,
above named, in the event of arrest/surrender before the Court
below within a period of six weeks from the date of receipt of
the order, be released 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 Additional Sessions Judge



II, Jehanabad in Excise Case No. 1360/2019, Kako Bhelawar Police Station Case No. 311/2019 on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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