

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2945 of 2020

Arising Out of PS. Case No.-176 Year-2019 Thana- ANDHRAMATH District- Madhubani

Ambu Yadav Son of Late Mahipal Yadav, Resident of Village-Banenia, P.S-
Kishanpur, District-Supaul.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Andharmath P.S. Case No. 176 of 2019 corresponding to G.R. No. 2225 of 2019 registered for the offences punishable under Section 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and the entire prosecution case is false. The petitioner is in custody since 22.11.2019 having no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the submission that the alleged recovery of 36 liters of Nepali country made liquor has not been recovered from the conscious possession of this petitioner and that the petitioner has got no criminal antecedent and he is in custody since 22.11.2019, let the petitioner above named be released on bail in connection with Gandhi Andharmath P.S. Case No. 176 of 2019 corresponding to G.R. No. 2225 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd-cum-Special Judge, Excise Act, Madhubani, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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