

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7938 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- KEWATI District- Darbhanga

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HIRA LAL YADAV, S/o Baiju Lal Yadav @ Vijlal Yadav, R/o village- Barahi,
P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 29-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a), 38(1),
41(1) of Bihar Prohibition & Excise Act, 2016.

Informant has alleged that he received a secret
information that accused Dev Narayan Yadav @ Chhotu is
unloading liquor from a truck by the side of road, on such
information police party reached there and seeing the police the
miscreants fled away. Thereafter, police recovered total
7260.810 of illicit liquor from truck, pick-up van and
motorcycle of the petitioner.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. Petitioner is not named in the F.I.R. Nothing has been recovered from the conscious possession of the petitioner. The said motorcycle is registered in the name of petitioner but same was taken away by his nephew accused Dev Narayan Yadav, who is already in custody. Petitioner is 70 years old and cannot ride motorcycle. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on 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 Keoti P.S. Case No. 83 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(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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