

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17657 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- PARBATTa District- Khagaria

Tinku Yadav, Son of Bhudev Yadav, Resident of Village - Lagar, P.S. -
Parbatta, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-05-2020 This application has been placed for consideration by
the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Petitioner in the present case is seeking regular bail in
connection with Parbatta P.S. Case No. 08 of 2020 registered for
the offences punishable under Section 37C of the Bihar
Prohibition and Excise Act, 2016 and 25(1-b)a/26/35 of Arms Act.

It is the case of the petitioner that he is innocent and
has falsely been implicated in this case. In fact nothing has been
recovered from his conscious possession and he has been made
victim of conspiracy. The petitioner is in custody since 06.01.2020
and investigation against him is complete.

Learned A.P.P. for the State has opposed the prayer for
regular bail of the petitioner. It is, however, not the case of the



State that the investigation in the case is not complete and/or release of the petitioner is at this stage in any way going to affect the trial.

Considering the facts and circumstances of the case, wherein the petitioner has remained in custody for over three months and investigation against him is complete and there is no chance of tampering with the evidence if the petitioner is released on bail as there is no such submission on behalf of the State, let the petitioner above named be released on bail in connection with Parbatta P.S. Case No. 08 of 2020, G.R. No. 58/2020 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Khagaria, 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

