

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18060 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- SAHARSA District- Saharsa

ARVIND KUMAR @ ARBIND YADAV @ ARBIND KUMAR Son of
Ramanand @ Raben Yadav @ Ramanand Yadav Resident of Village - Sisai,
Ward No. 10, P.S.- Saharsa, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-05-2020 (The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.)

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 166(A),
167, 120(B) of the I.P.C. and under Sections 51, 52 of Bihar
Prohibition and Excise Act, 2016.

The allegation is commission of offence by officials
of Excise Department in collusion with Excise Mafias and
petitioner helped them in committing the offence.

It has been submitted on behalf of petitioner that
petitioner is not named in the FIR. His name has transpired in



this case on the basis of statement made by one Lalji Kumar. Similarly placed co-accused, namely, Faiz Ahmad and Birendra Kumar Pathak have already been granted bail by a co-ordinate Bench of this Court vide order dated 02.03.2020 passed in Cr. Misc. No. 12453 of 2020 and order dated 03.03.2020 passed in Cr. Misc. No. 14736 of 2020 respectively. Petitioner is in custody since 18.02.2020.

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/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned court below, in connection with Special (Excise) Case No. 33 of 2020 arising out of Saharsa Sadar P.S. Case No. 39 of 2020 subject to the conditions that:-

(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 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)

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