

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19310 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- THARTHARI District- Nalanda

MITHILESH YADAV Son of Mahendra Prasad @ Mahendra Yadav Resident
of Village - Bhatu Bigha, P.S.- Tharthari, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

3 15-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a). 38 and 41 of the
Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 193.29 litres foreign liquor
from Khalian of co-accused Krish Nandan Prasad who along
with FIR named accused including the petitioner managed to
flee away after seeing the police party.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the possession of
petitioner. It has been submitted that name of the petitioner has



surfaced in this case on the confessional statement made by the Chowkidar, Manikchand Paswan with whom petitioner is on inimical terms. Petitioner is in custody since 13.01.2020.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Tharthari P.S. Case No.1 of 2020, 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 properly 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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