

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19074 of 2020

Kisun Dev Kumar Yadav @ Kishundeo Yadav, aged about 23 years, (Male) son
of Sita Ram Yadav, resident of village Kaithiniya P.S.:Lakhnaur (R.S.O.P)
District-Madhubani

..... Petitioner

Versus

The State of Bihar

..... Opposite party

Appearance

For the Petitioner : Mr. Manoj Kumar Jha, Advocate

For the State : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 14.05.2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner who is in custody since 19.2.2020 has filed
the instant application for grant of bail in connection with
Laukahi P.S. Case no. 177 of 2019 registered for offence under
sections 272, 273, 414 and 34 of the Indian Penal Code and
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., in the night of occurrence,
on seeing the police personnel the two accused persons on one
motorcycle managed to escape, two persons on the second
motorcycle were caught and the driver of the four wheeler
vehicle also managed to escape. It is stated that a total of 1053
litres of illegal liquor was recovered and one of the persons
caught disclosed the name of the other accused persons.



It is submitted by learned counsel for the petitioner that neither the petitioner is named in the F.I.R. nor was he arrested at the place of occurrence. The name of the petitioner has transpired subsequently in course of investigation as being the driver of the pick-up van. It is submitted that the F.I.R. named accused persons namely Sumit Kumar, Yogendra Yadav and Amarjit Yadav have been enlarged on bail by orders which are Annexure-2 series to this petition.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact of the petitioner was not arrested at the spot, he has no criminal antecedent and grant of bail to the other co-accused, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Laukahi P.S. Case no. 177 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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