

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27392 of 2020**

Arising Out of PS. Case No.-42 Year-2020 Thana- AMAS District- Gaya

=====

BHIM YADAV S/o Kail Yadav Resident of Village- Sonbarsa, P.S.-
Hunterganj, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner.

Ms Pushpa Sinha, APP is appearing as it is submitted that the brief has been allotted to her by the Office of Advocate General. Her name may also be printed in the cause list.

The petitioner seeks bail in Amas Police Station (for brevity, PS) Case No 42 of 2020 instituted for the offence



punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

120 liters of illicit liquor is said to have been recovered from a three wheeler, being driven by the petitioner.

It is submitted by the petitioner's counsel that having no criminal antecedent, the petitioner has falsely been implicated in this case and he is in custody since 06.03.2020. The petitioner had no knowledge about the contents of the containers loaded on his tempo and has become a victim of the circumstances.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Gaya in Amas PS Case No 42 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

M.E.H./-

(Madhuresh Prasad, J)

U		T	
---	--	---	--

