

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28492 of 2020

Arising Out of PS. Case No.-446 Year-2019 Thana- BIDUPUR District- Vaishali

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YOGESHWAR BHAGAT Son of Late Dashrath Bhagat Resident of Village-
Daudnagar, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Additional Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and the

State through Video Conferencing.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution case in brief is that, 240 liters of
country-made liquor has been recovered from the tempo in
which petitioner was arrested.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and has falsely been implicated in this
case. It is further submitted that the petitioner was not aware of
the consignment being transported through the tempo and he is
simply the driver of the tempo. It is stated by learned counsel
for the petitioner in paragraph 3 of the bail petition that
petitioner has got clean antecedent. Petitioner is in custody since
09.11.2019.



Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Bidupur Police Station Case No. 446/19 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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