

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73394 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Mahendra Yadav Son of Budhan Yadav Resident of Village- Mahkama, P.S.-
Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-03-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **G.O. Case No. 141 of 2018**, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4 litres of country made liquor and 400 K.G. of Java Mahua are said to have been recovered from *Chour*.

It is submitted that petitioner has falsely been implicated in this case. Petitioner has no concern with the seized liquor. Nothing has been recovered from conscious possession of this petitioner. The provision of section 100 Cr.P.C has not been followed. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below



within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 District and Sessions Judge 2nd-cum-Special Judge, Excise Act, Nawada** in connection with **G.O. Case No. 141 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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