

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70269 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- SATHI District- West Champaran

Raj Kumar Yadav Son of Rameshwar Yadav Resident of Village- Basantpur,
Police Station- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-02-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sathi P.S.**
Case No. 37 of 2019, registered for the offence punishable
under Sections 272, 273, 413, 414, 467, 468, 471 and 34 of the
Indian Penal Code and section 30(a) of Bihar Prohibition and
Excise Act, 2016.

50 litres of country made liquor is said to have been
recovered from a motorcycle from the other co-accused person.
Petitioner is said to be one of those persons who fled away from
the place of occurrence.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Name of this petitioner has come in this case on the basis
of confessional statement of co-accused. Petitioner has got no



concern with the recovered liquor. There is no compliance of section 100 Cr.P.C. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Special Judge Excise, Bettiah, West Champaran** in connection with **Sathi P.S. Case No. 37 of 2019**, 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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