

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3339 of 2020

Arising Out of PS. Case No.-196 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Kundan Kumar Yadav Son of Ashok Yadav Resident of Village - Mahuli, P.S.-
Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-03-2020 Heard counsel for the parties.

The petitioner seeks bail in **Khodawandpur (Chaurahi) P.S. Case No. 196 of 2019**, registered for the offences punishable under Sections 272, 273, 414 and 120(B) of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

238.875 litres of liquor is alleged to have been recovered from the pickup van of petitioner.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. There is no allegation of tampering with the evidence against this petitioner. Charge-sheet has already been submitted. Co-accused Suresh Yadav has already been granted bail by a coordinate Bench of this court



vide order dated 15.11.2019 passed in Cr. Misc. No. 72390 of 2019. Petitioner is in custody since 14.09.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, 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 Sessions Judge II-cum-Special Judge Excise, Begusarai** in connection with **Khodawandpur (Chaurahi) P.S. Case No. 196 of 2019**, subject to the 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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