

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83422 of 2019

Arising Out of PS. Case No.-245 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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Kanhaiya Kumar S/o Vijendra Yadav @ Vijen Yadav @ Birendra Yadav R/o
Village- Raghu Nath Pur - Hira Tol - Barari, P.S.- Saheb Pur Kamal, District-
Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Arbind Kr. Pandey (App 84)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Sahebpur Kamal P.S. Case No. 245 of 2018
registered for the offences punishable under Section 420 of the
Indian Penal Code and Sections 30(A), 32(iii), 35(c)/36 of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is further submitted that the name of the petitioner has
transpired in the supervision note in view of the statements said
to have been made by the apprehended accused who was
arrested in another case and nothing has been recovered from



the conscious possession of the petitioner. Petitioner is in custody since 16.11.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, wherein the name of the petitioner has transpired in the supervision note in view of the statements said to have been made by the apprehended accused who was arrested in another case and that no illicit liquor has been recovered from the house of this petitioner and further that the petitioner has no criminal antecedent, let the petitioner above named be released on bail in connection with Sahebpur Kamal P.S. Case No. 245 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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