

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85355 of 2019

Arising Out of PS. Case No.-552 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Amresh Yadav, Son of Tej Narayan Yadav @ Tej Narayan Ray, Resident of
Village- Mahugiya, P.S.- Kundwa Chainpur, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mrs.Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 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 Excise P.S. Case No. 552 of 2018 registered for
the offences punishable under Section 30(a) 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. Learned counsel submits that the name of the petitioner
has transpired in the confessional statement of the co-accused.

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

Considering the facts and circumstances of the case,



wherein it is the submission of learned counsel for the petitioner that though the car in question belongs to the petitioner but it was in possession of the co-accused Md. Kaisar who had been arrested by the police and that the name of this petitioner has been brought on the basis of the statement of the apprehended accused but the petitioner was not apprehended on the spot and he is in custody since 21.10.2019, let the petitioner above named be released on bail on completion of three months of custody in connection with Excise P.S. Case No. 552 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 Special Judge, Excise Act, East Champaran, Motihari, 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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