

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82845 of 2019**

Arising Out of PS. Case No.-186 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

RAJ KUMAR YADAV @ GAJJU Son of Bihari Yadav Resident of
Village - Saraila, P.S.- Chand, District- Kaimur at Bhabua

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 18-03-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Chand P.S. Case No. 186 of 2019 registered under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has been made accused in this case alleging that he was working as a Guard at the alleged place where the illicit liquors were stored. The said place is said to be a government agricultural farm. Learned counsel submits that the allegations are false and flimsy. The petitioner is in custody since 07.11.2019 and he has got no criminal



antecedent as also in case the petitioner is released on bail there is no chance of tampering with the evidence or absconding from the trial.

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

Considering the facts and circumstances of the case wherein the alleged illicit liquors have been recovered from a government agricultural farm and the petitioner has remained in custody for over three months, the investigation against him is complete and there is no submission on behalf of the prosecution that the release of the petitioner is likely to interfere with the trial of the case or there is any chance of tampering with the evidence, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge - 3rd cum Special Judge, Excise, Kaimur at Bhabua, in connection with Chand P.S. Case No. 186 of 2019, 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)

Rajeev/-

U		T	
---	--	---	--

