

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85824 of 2019

Arising Out of PS. Case No.-177 Year-2018 Thana- CHANDAN District- Banka

DINESH YADAV Son of Tisheshar Yadav Resident of Village- Lalmatiya
(Bhorsar), P.S. Katoria, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-01-2020 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner, who is in custody, seeks bail in connection with Chandan PS Case No. 177 of 2018 registered under Sections 30(a)(g) and 32(2) of Bihar Prohibition and Excise Act, 2016.

Since 8.11.2019 the petitioner is in custody. Allegation is that 375.63 Litres of Indian made foreign liquor has been recovered from the Maruti Suzuki car. It is alleged that two persons fled away on the car being stopped.

Counsel for the petitioner submits that merely because he happens to be owner of the vehicle he has been presumed to be present at the spot. The vehicle in fact had been borrowed from him and he has no connection with the recovery made.



Submission is that he has no criminal antecedent.

Considering the rival submissions, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge Banka, in Chandan PS Case No. 177 of 2018 subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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