

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86305 of 2019

Arising Out of PS. Case No.-171 Year-2019 Thana- DURAULI District- Siwan

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Mukesh Yadav @ Mukesh Chaudhary, aged about 25 years, Gender- Male,
Son of Ramayan Yadav @ Ramayan Chaudhary, Resident of Village - Khap
Jataur, P.S.- Gathani, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv.

For the Opposite Party/s : Mr.Renu Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and Sections 30(a), 38(1) of Bihar
Prohibition and Excise Act, 2016.

Allegation is recovery of 34.560 liters of illicit
liquor from the motorcycle which was being ridden by Mukesh
Yadav (petitioner) and Ashutosh @ Golu.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Nothing was recovered from the
conscious possession of the petitioner and he is in custody since



04.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-special Judge (Excise), Siwan, in connection with Daraulli P.S. Case No. 171 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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