

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14387 of 2021**

Arising Out of PS. Case No.-119 Year-2019 Thana- FULKAHA District- Araria

LALU KUMAR YADAV Son of Samat Lal Yadav Resident of Village- Achra,
P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 09-07-2021 Let the defect (s) be removed within four weeks
after start of the physical Court.

Heard the parties in virtual Court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a)/45 of Bihar
Prohibition and Excise Act, 2016.

Submission is that the petitioner was not arrested at
the time of recovery of liquor from a four wheeler, however,
allegation is that the petitioner and co-accused-Nizam were on
the said vehicle. Nizam was Driver Nizam has already been
allowed bail by a Coordinate Bench of this Court vide order at
Annexure-2.

Further submission is that though the petitioner has



got criminal antecedent of identical nature, however, in none of the cases any recovery is alleged from possession of the petitioner rather the name of the petitioner was subsequently dragged during investigation.

Considering submission aforesaid and completion of investigation of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Fulkaha Police Station Case No.119 of 2019 corresponding to Special Case No.982 of 2019 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(d) However, it is made clear that if further complaint of involvement of the petitioner would surface before the learned court below that would be a ground for



cancellation of bail in this case also.

(Birendra Kumar, J)

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