

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20427 of 2021

Arising Out of PS. Case No.-317 Year-2019 Thana- BHORE District- Gopalganj

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Balindra Yadav S/o Parma Yadav @ Paarma Yadav R/o village- Luhushi, P.S.-
Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr. Iftekhar Mahmood A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bhorey P.S. Case No. 317 of 2019, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

236.800 liters of foreign liquor has been recovered from a Bolero vehicle, which was parked near Shiv Mandir in the village and this petitioner is alleged to have fled away after seeing the police and has been identified by the chowkidar.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither owner nor driver of the said vehicle and has got no concern with the seized liquor. Petitioner claims clean antecedent and he is in custody since 02.12.2020.



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

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge, Excise Act, Gopalganj in connection with Bhorey P.S. Case No. 317 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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