

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37184 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- GOGRI District- Khagaria

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Raja Yadav Son of Ram Ratan Yadav Resident of Village - Usari, P.s.- Gogari,
Distt.- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Gogari P.S. Case No. 186 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

145 liters of foreign liquor has been recovered from a pick-up van (Magic), which was parked near Basa of petitioner. Petitioner and other FIR named persons are alleged to have brought the aforesaid liquor for sale.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner was not arrested on spot. Petitioner has got clean antecedent and is in custody since 11.05.2021. Investigation is complete.



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

Considering the nature of allegation, clean antecedent 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 Special Judge (Excise), Khagaria in connection with Gogari P.S. Case No. 186 of 2020, 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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