

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39004 of 2021

Arising Out of PS. Case No.-524 Year-2019 Thana- BAHERA District- Darbhanga

Chandra Kishore Yadav S/o- Ramanand Yadav Resident of Village- Khaira
Janika Tahsil, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Bahera P.S. Case No. 524 of 2019, registered for the offence punishable punishable under Section 30(a), 32(3), 41(i) of the Bihar Prohibition and Excise Act, 2016.

765 litres of Nepali liquor has been recovered from Scorpio vehicle which was parked on the road. During course of investigation, owner of Scorpio vehicle Gautam Prakash was arrested who disclosed that petitioner purchased the said vehicle.

It is submitted that petitioner is not named in the FIR and no recovery has been made from his conscious possession. Petitioner has got no concern with seized vehicle or with



Gautam Prakash. Petitioner is in custody since 21.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge II-cum-Special Judge Excise, Darbhanga in connection with Bahera P.S. Case No. 524 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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