

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35133 of 2020

Arising Out of PS. Case No.-299 Year-2020 Thana- SHERGHATI District- Gaya

Vishnu Yadav @ Vishuni Yadav Son of Kali Yadav, Resident of Village -
Jabda, Police Station - Hunterganj, District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Sherghati P.S. Case No. 299 of 2020 registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

The police has intercepted the petitioner along with his motor cycle bearing Registration no. BR2N-2410 and on search, 55 litres of mahua liquor has been recovered from a jute bag which was being carried by the petitioner, who was arrested at the spot..

Learned counsel for the petitioner submits that the petitioner is in custody since 24.06.2020 and he has no criminal antecedent.



Looking to the facts and circumstance of the case, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Gaya in connection with Sherghati P.S. Case No. 299 of 2020, subject to the condition that one of the bailors of the petitioner shall be a close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in future in the same type of offence, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass order in accordance with law.

As the counsel for the petitioner has submitted that the petitioner has no criminal antecedent, the same shall be verified by the court below at the time of releasing the petitioner on bail.

(Shivaji Pandey, J)

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