

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37472 of 2020

Arising Out of PS. Case No.-305 Year-2020 Thana- JAYNAGAR District- Madhubani

SHIV KUMAR YADAV SON OF RAMBRIKSH YADAV RESIDENT OF
VILLAGE - SAHURIYA, P.S. - JAYNAGAR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 23.08.2020 in connection with Jay Nagar P.S. Case No. 305/2020 registered for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Section 30(a) of the Excise Act.

As per the prosecution case, 72 litres of Nepali wine has been recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 23.08.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above



named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani, in connection with Jay Nagar P.S. Case No. 305/2020, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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