

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1063 of 2021**

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

PINKU YADAV @ CHANDAN YADAV SON OF CHHOTAN YADAV
RESIDENT OF VILLAGE- GONDAPUR, P.S.- NAWADA, DISTRICT-
NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 01-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Nawada (Town) P.S. Case No. 602 of 2020, registered for the offence punishable punishable under Sections 30(a), 30(D), 30(G), 33, 41 and 52 of the Bihar Prohibition and Excise Act, 2016.

5000 litres of spirit has been recovered from a truck and this petitioner along with co-accused is alleged to have parked the said truck beside the road and fled away after seeing the police party.

It is submitted that nothing has been recovered from conscious possession of this petitioner. Petitioner was not apprehended on the spot. During course of investigation, it has come that the said truck belongs to one Arbind Yadav and this



petitioner is brother of co-accused Arbind Yadav and driver of the said truck. Petitioner is in custody since 20.08.2020 having clean antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, 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 Sessions Judge II-cum-Special Judge, Nawada in connection with Nawada Town P.S. Case No. 602 of 2020, 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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