

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38534 of 2020

Arising Out of PS. Case No.-189 Year-2019 Thana- FULKAHA District- Araria

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Sharwan Yadav S/o Late Yogan Yadav @ Yoganand Yadav Resident of
Village- Manikpur, P.S.- Fulkaha, Distt- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-04-2021

Heard the parties in virtual Court proceeding.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 413/414 of the Indian Penal
Code and Sections 30(a)/41(1)/45 of the Bihar Prohibition and
Excise Act, 2016.

Allegation is of recovery of liquor from a motorcycle
on which petitioner was not there. However, allegation is that
the liquor was of the petitioner. The petitioner has got four
criminal cases of identical nature. The petitioner is in custody
since 26.08.2020.

Considering the fact that there is no direct material
against the petitioner in this case, let the petitioner, above



named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Fulkaha P.S. Case No.189 of 2019 (Special Case No.1592 of 2019), with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

However, it is made clear that if further complaint of involvement in identical case is brought in the notice of the Court-below that would be a ground for cancellation of bail in this case also.

(Birendra Kumar, J)

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