

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4904 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- KORANSARAI District- Buxar

=====

VIJAY YADAV S/O BHIKHARI YADAV @ BHIKHARI SINGH YADAV
RESIDENT OF VILLAGE- NAVADEEH, POLICE STATION-
KORANSARAI, DISTRICT- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan
For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Koransarai. P.S. Case No.
76 of 2020 corresponding to CIS No. 831/2020, registered for
the offence punishable punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

On secret information raid was conducted and
311.040 litres of foreign liquor has been recovered from a Tata
Magic Van and three persons including this petitioner were
apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is neither
owner nor driver of the vehicle in question. Petitioner has no
concern with the seized liquor. Petitioner is in custody since



27.08.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the fact that no recovery has been made from conscious possession of the petitioner and 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 Special Judge Excise, Buxar in connection with Koransarai P.S. Case No. 76 of 2020 corresponding to CIS No. 831/2020, 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)

vinita/-

U		T	
---	--	---	--

