

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1869 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- KHAJAULI District- Madhubani

Awadhesh Yadav Son of Deb Nath Yadav Resident of Village- Khairamath,
P.S.- Jaynagar, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Uma Shankar Pd. Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Khajauli P.S. Case No. 206 of 2020, corresponding to G.R. No. 1327 of 2020, registered for the offence under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 315 liters of Nepali liquor has been recovered from the four motorcycles and petitioner was apprehended on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner is neither owner nor driver of the motorcycle in question. Petitioner is in custody since 10.10.2020, having no criminal antecedent. Chargesheet has already been submitted.



Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Additional Sessions Judge 2nd cum Special Judge, Excise Act, Madhubani in connection with Khajauli P.S. Case No. 206 of 2020, corresponding to G.R. No. 1327 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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