

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4108 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- UPHARA District- Aurangabad

SATISH YADAV SON OF DEVANAND YADAV R/O VILLAGE-
IBRAMHIMPUR KHURD, P.S.- GOH, DISTRICT- AURANGABAD
(BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 24.09.2020 in connection with Uphara P.S. Case No. 67/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 121.455 litres of foreign liquor has been recovered from the car of which this petitioner is alleged to be driver.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner is neither the driver nor the owner of the vehicle in question and he was simply a co-



passenger and has got no concern with the alleged vehicle. Petitioner is in custody since 24.09.2020 having clean antecedent.

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 District and Sessions Judge, II cum Special Judge, Excise, Aurangabad, in connection with Uphara P.S. Case No. 67/2020, 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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