

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6527 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- JAYNAGAR District- Madhubani

Kari Yadav @ Mahesh Yadav aged about 36 years Son of Late Bhola Yadav
Resident of Village - Selra, P.S. - Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Sections 272, 273, 414/34 of the
Indian Penal Code and section 30a of the Bihar Prohibition and
Excise Act.

As per the prosecution case, on secret information
police conducted raid and intercepted two Tata Sumo vehicles
and arrested driver of one of the vehicles, while the driver of
other vehicle managed to flee away. On search, 1395 liters of
Nepali country made liquor was recovered from the vehicles.
Arrested co-accused disclosed that the consignment of wine was
to be delivered to the petitioner and co-accused Shambhu Yadav.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is neither owner nor the driver of the vehicles in question. Petitioner is in custody since 7.9.2020 and charge sheet has already been submitted.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released 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 Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in Jaynagar Police Station Case No. 70 of 2020 , GR No. 369 of 2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her 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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