

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5797 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- PHULWARIYA District- Gopalganj

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Aadarsh @ Sanjeet Kumar Yadav, Son of Harihar Yadav @ Harihar Choudhary, Resident of Village- Kandhgopi, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

As per F.I.R. and seizure list, after seeing the police petitioner and other co-accused left their FIAT car bearing Registration No. HR 26AY 3935 and started fleeing, police chased and arrested the petitioner but another co-accused managed to escape, car was searched, total 250.600 liters illegal country made liquor have been recovered.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing was recovered from the conscious possession of



the petitioner. Petitioner is neither the driver nor the owner of the FIAT Car, he has no knowledge regarding the wine which was kept in the car. Petitioner has no criminal antecedent and he is in custody since 09.10.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Phulwariya P.S. Case No. 247 of 2020 with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3) 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.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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