

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7998 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- LAUKAHI District- Madhubani

PRASHANT KUMAR YADAV @ VICKY YADAV aged about 22 years Son
of Late Bhagwan Prasad Yadav R/V- Naraihiya, P.S.- Laukahi, Dist.-
Madhubani

..
... Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Anita kri.Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2021 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 Section 414 and other allied sections
of the Indian Penal Code and section 30a of the Bihar
Prohibition and Excise Act.

As per the prosecution case, 202.05 liters of foreign
liquor has been recovered from a truck of which the petitioner
was a driver. He was arrested on the spot.

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 as he was not aware of the nature of consignment being carried by the said truck. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 10.8.2020.

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 and the petitioner has got clean antecedent, 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 Laukahi Police Station Case No. 141 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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