

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14929 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- KURSAKANTA District- Araria

GOPAL YADAV S/o Vinod Yadav Resident of Village- Hatta Chowk, Police
Station- Kursakanta (Kuwari O.P.), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Giridhar Gopal Tiwary

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Kursakanta (Kuwari O.P.) P.S. Case No. 107 of 2021 for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

Allegation is of recovery of 260.700 litres of Nepali
liquor from two motorcycles bearing Registration No.
BR38Q5480 and BR38V6689.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been



implicated in the present case. He further submits that name of the petitioner has surfaced on the basis of confessional statement made by the co-accused Bechan Mandal. No recovery has been made from physical possession of the petitioner. Petitioner is in custody since 04.08.2021. The co-accused from whose possession alleged recovery has been made has already been released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of **Rs.25,000/- (Rupees twenty five thousand)** with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Araria in connection with Kursakanta (Kuwari O.P.) P.S. Case No. 107 of 2021, subject to the 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 offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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