

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18378 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- GORAU District- Vaishali

SHISHUPAL YADAV Son of Jaynti Prakash Yadav Resident of Village -
Sherakhar, P.S.- Rajepur, Dist.- Farukhabad, State - Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 420, 467, 468, 471 and 120(B) of
the Indian Penal Code and 30(a), 36 and 41 of the Bihar
Prohibition and Excise Act.

Recovery is of 4932 liters of foreign liquor.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that nothing
incriminating has been recovered from the conscious
possession of the petitioner rather the alleged recovery has
been made from the Truck in question. The petitioner is said



to be the driver of the alleged vehicle but he has no concern at all with the alleged recovery. The petitioner is rotting in judicial custody since 17.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Goraul (Kathara O.P.) P.S. Case No. 19 of 2022 with 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 canceled 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.



(3) One the bailors shall be the father of the petitioner.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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