

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53386 of 2021**

Arising Out of PS. Case No.-749 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SHYAM KUMAR YADAV SON OF RAMASHISH RAY R/O VILLAGE-
BUKI BASTI, GETAN SUD, P.S.- ANGRA, DISTRICT- RANCHI
(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Ms.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 22-04-2022 The applicant/accused in Excise Case No. 749 of
2021 registered for the offences punishable under Section 30(a)
of the Bihar Excise Prohibition Amendment Act, 2018 by this
application is seeking his release on bail during pendency of the
trial.

Heard both sides.

According to the prosecution case, a truck came to
be inspected by the police party. It was found to be
transporting 1715 litres of illicit liquor. Four inmates of the
truck were applicant Shyam Kumar Yadav, Ramashish Rai,
Bantee Kumar and Mithilesh Singh. Out of them, Bantee
Kumar is directed to be released on bail by the co-ordinate
Bench of this Court vide order dated 04.03.2022.



Investigation of the subject crime is over. The applicant is reported to be driver of the truck. He has no criminal antecedents. Therefore, his pre-trial detention is not warranted and hence, the order:-

i. The application is allowed.

ii. The applicant/accused in Excise Case No. 749 of 2021 be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty



to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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