

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56336 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- GANGABRIDGE District- Vaishali

Sikandar Kumar Yadav @ Sukandar Kumar Yadav Son Of Late Bindeshwar
Yadav R/O Village- Goth, P.S.- Marauna, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Ganga Bridge P.S. Case No. 66 of 2022, lodged under Sections
467, 468, 471, 420 and 120B/34 of Indian Penal Code read with
Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act,
2016.

As per prosecution case, the total recovery of 2240.25
liter of foreign liquor has been made from a truck, which is
subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner has not been apprehended from the place of

occurrence and petitioner's name has figured in this case on the basis of confessional statement made by the co-accused. He also submits that petitioner is neither the owner nor the driver of the of the said vehicle, antecedent of petitioner is clean and he is in custody since 07.08.2022. He further submits that the other co-accused of this case have already been granted bail by the Coordinate Bench of this Court vide order dated 20.08.2022 passed in Cr. Misc. No. 37702 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I-cum-Additional District and Sessions Judge Vaishali at Hazipur in connection with Ganga Bridge P.S. Case No. 66 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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