

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52893 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- BASOPATTI District- Madhubani

DHARAMVEER YADAV Son of Late Suleshan Yadav Resident of Village-
Basopatti, Police Station-Basopatti, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023

Heard the parties.

The petitioner is in custody in connection with Basopatti P.S. Case No. 143 of 2023 (G.R. No. 961 of 2023) for the offence under sections 272, 273, 34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act lodged on 19.06.2023 by the informant, Madhu Kumar Singh.

As per the prosecution story, the Police was on vehicle checking when three motorcycles with bags loaded on it were found coming. Upon interception, they tried to escape but two of them were apprehended and 244.7 liters of Nepali wine were recovered. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that he does not own any of the motorcycle, was a pillion rider, returning after attending a marriage ceremony and got



implicated in this case, is in custody since 20.06.2023 (as stated in paragraph 17 of the petition).

Learned APP opposes the prayer for bail.

Considering the facts on record, submissions put forward by the learned counsel for the petitioner as also the period of custody i.e. 20.06.2023, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge Excise Act, Madhubani, in connection with Basopatti P.S. Case No. 143 of 2023 (G.R. No. 961 of 2023) subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

