

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20487 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -BEUR District- PATNA

=====

Aditya Yadav @ Baiju Yadav, S/o Nokhelal Yadav, Resident of Village- I,
O.C. Road Sipara, Police Station- Beur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Sri Rajeev Ranjan
Mr. Jay Ram Prasad
For the Opposite Party/s : Sri Rajendra Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 13-07-2017 Heard Sri Rajeev Ranjan, learned counsel, assisted by

Sri Jay Ram Prasad, learned counsel for the petitioner. None

appeared on behalf of the State.

The sole petitioner, apprehending his arrest in Beur
P.S. Case No. 64 of 2017, registered for the offence under section
37(a) (b)(c) of the Bihar Excise Amendment Act, 2016 has
prayed for grant of bail in the event of arrest or surrender .

It was submitted by learned counsel for the petitioner
that Sub Inspector of Police cum Officer- in- charge of the Police
Station has recorded self statement on the basis of which F.I.R.
was lodged. The Police allegedly conducted raid in the premises
of the petitioner, which was in joint possession of three brothers,
without any search warrant and thereafter, shown recovery of



empty bottle of Indian make foreign liquor namely Royal Stag 375 ml and also arrested four persons. According to learned counsel for the petitioner, petitioner was not at all aware about the occurrence since the petitioner was away at the time when search was conducted. In any event according to learned counsel for the petitioner the petitioner himself was not solely in possession of the premises in question .

Considering the nature of recovery of empty bottle of 375 ml and submission made by learned counsel for the petitioner that premises was in joint possession of three brothers of the petitioner , in the event of arrest or surrender within a period of six weeks from today, let the petitioner Aditya Yadav @ Baiju Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna / concerned court in connection with Beur P.S. Case No. 64 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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

