

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54540 of 2017

Arising Out of PS. Case No.-302 Year-2017 Thana- CHIRAIYA District- East Champaran

Vijay Kumar Yadav @ Vijay Prasad Yadav son of Vishwanath Rai @
Vishwanath Prasad Yadav resident of village - Katkuiya, P.S. - Chiraiya,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. AMRENDRA PRASAD

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 30 (a) and 37(a) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 49 bottles (each containing 300 ml.) and 10 bottles (each containing 300 ml.) of Nepali saufi wine were recovered from a sack and dickey of the motorcycle respectively which was kept beside the road. After seeing the police party, petitioner and others tried to escape but the petitioner along with another person was apprehended. It is further contended that there is no recovery from the physical possession of the petitioner. Petitioner claims that he is having



clean antecedent and is in custody since 23.09.2017, i.e., about more than two months.

Having regard to the facts and the circumstances of the case, the abovenamed petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-7th -cum-Special Judge, Excise, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 302 of 2017.

Further, if the petitioner, after his release in this case, is again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of his bail bond.

(Dr. Ravi Ranjan, J)

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