

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44717 of 2017

Arising Out of PS. Case No.-152 Year-2017 Thana- BAIRIYA District- West Champaran

Munna Yadav, Son of Lalan Yadav, resident of Village- Phatuchhapar, P.S.-
Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Milind Kumar Mishra

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam , APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Milind Kumar Mishra, learned counsel for the
petitioner and Sri Mrityunjaya Kumar Gautam, learned
Additional Public Prosecutor.

The sole petitioner apprehending his arrest in Bairiya P.S.
Case No. 152 of 2017 registered for the offence under section
30(A) of the Bihar Prohibition and Excise Act, 2016 has
prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that
F.I.R. was lodged on the self statement of the Officer –in-
charge only on suspicion against the petitioner and thereafter a
raid was conducted in which from two accused persons huge
quantity of Indian make foreign liquor was recovered. He
submits that nothing was recovered from conscious possession
of the petitioner or his house or land and only on suspicion he



has been made accused. It has been argued that petitioner is having clean antecedent, which fact has been stated in paragraph no. 3 of the petition.

In view of the facts and circumstances as well as clean antecedent of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Munna 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 learned Special Judge, Excise , Bettiah at West Champaran / concerned court in connection with Bairiya P.S. Case No. 152 of 2017 subject to the conditions as contemplated under section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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