

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55716 of 2017**

Arising out of P.S. Case No.-470 Year-2017 Thana-  
BARACHATTI District- Gaya

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Alesh Kumar, Son of Late Shiv Bachan Yadav, Resident of  
Village- Kaspura, P.S.- Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Veer, Adv.

For the Opposite Party/s: Mr. Sri Ram Sevak Choudhary, APP.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2     23-11-2017

Heard learned counsel for the petitioner and the  
State.

The petitioner seeks bail in a case registered for  
offences under Sections 30 (a), 38 and 47 of the Bihar  
Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 400 litres of  
country made liquor was recovered from the Omni Maruti  
which is said to be driven by the petitioner but nothing has  
been recovered from the conscious possession of the  
petitioner. It is contended that the petitioner has no connection  
with the illicit liquor which was loaded on the vehicle. It is



urged that the petitioner has remained in custody since 07.08.2017, i.e., for about more than three and half months. It is claimed that the petitioner is having clean antecedent.

Considering the facts and the circumstances of the case, the petitioner, above named, 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 Special Judge, Excise, Gaya in connection with Barachatti P.S. Case No. 470 of 2017 with a condition that if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

**(Dr. Ravi Ranjan, J)**

Vikash/-

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