

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60769 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -AANDAR District- SIWAN

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1. Subhash Yadav, Son of Ramajee Yadav, Resident of Village- Dahabari,
P.S.- Ander, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-10-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 37(b) of the Bihar Prohibition and Excise Act, 2016.

A person was arrested by the police when he was found to have consumed liquor. He disclosed that he has purchased the same from this petitioner.

Submission of the learned counsel for the petitioner is that the petitioner has been roped in other cases lodged under the provisions of Excise Act. However, the FIR of those cases would reveal that never anything was recovered from the conscious or physical possession of the petitioner or from the



house of this petitioner. Entire recovery was from the field-side and in all the cases the petitioner was dragged.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Andar Police Station Case No.76 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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