

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2891 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- JOKIHAT District- Araria

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SUSHIL KUMAR YADAV @ SHUSHIL KUMAR YADAV @ SUSHIL YADAV, son of Prasadi Yadav @ Shivnarayan Yadav, resident of village Bangama, Ward No. 13, P.S. - Araria, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 23-01-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Special Case No.940 of 2018 arising out of Jokihat P.S. Case No.235 of 2018** instituted for the offence under Section(s) 272, 273/34 Indian Penal Code, 30(a), 38(i) of Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that 86 litres foreign liquor has been recovered from the car in which Suman Kumar Poddar and Perwez Alam were found sitting. They disclosed the name of this petitioner and one Md. Abulaish.

Counsel for the petitioner submits that Petitioner is in custody since 29.10.2018.

There is no recovery from conscious possession of the



petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **2nd Additional Sessions Judge cum Special Judge, Araria**, in connection with **Special Case No.940 of 2018 arising out of Jokihat P.S. Case No.235 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 that two other cases under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of his release that he will not indulge in such activities in future, otherwise, his bail bond in the instant case will be liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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