

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5867 of 2019**

Arising Out of PS. Case No.-210 Year-2018 Thana- DUMARIAGHAT District- East  
Champaran

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Biillu Yogi , son of Bhuraram Yogi, Resident of Village-Modhori, P.S.-  
Nimrana, District-Alawar (Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma  
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      04-02-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is languishing in custody since  
09.12.2018 in connection with Dumariyaghat P.S. Case No.210  
of 2018 registered for the offences punishable under Sections  
272, 273, 34 of the Indian Penal Code and Section 30 (a) of the  
Bihar Prohibition and Excise Act.

Prosecution case as per the statement of Abhinav  
Kumar Dubey, S.H.O. Durariya Ghat P.S. recorded on  
08.02.2018 at 8:00 P.M. is to the effect that an information was  
received that one truck having the registration number of  
Rajasthan is carrying a huge quantity of illicit liquor,  
whereupon, a raid was laid and a truck was intercepted, which



was being driven by co-accused Pawan Kumar and the other person disclosed his name as Billu Yogi and from the truck in question, 1453.06 litres of foreign liquor were recovered. The accused persons suggested that the consignment belongs to one Sonu which is to be delivered co-accused Amarjeet.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the petitioner. Statement has been made in para 3 of the bail application that the petitioner is not having criminal antecedent.

Considering the nature of accusation, the recovery from the truck and the fact that the prosecution case does not suggest the name of the owner of the truck in question coupled with the statement made in para 3 of the bail application, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No.210 of 2018.

sanjeev/-

**(Dinesh Kumar Singh, J)**

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