

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8720 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- SIDHWALIYA District- Gopalganj

Harkesh Yadav, aged about 23 years, Male, S/o Babulal Yadav, Resident of Village-Jogiraha, P.S. - Mohamadpur, District -Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava

For the Opposite Party/s : Mr.Ahtasham Ali Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 30.11.2018 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the petitioner was intercepted while driving a motorcycle, who disclosed the name of the person who escaped from the scene as Dipak Tiwary and from the intercepted motorcycle, 24.300 litres of illicit liquor manufactured in Arunachal Pradesh were recovered.

It is submitted by learned counsel for the petitioner that the motorcycle is not registered in the name of the



petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the petitioner.

Considering the quantity of recovery and the period under custody, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge (Excise), Gopalganj in connection with Sidhwaliya P.S. Case No. 239 of 2018.

(Dinesh Kumar Singh, J)

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