

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10068 of 2019

Arising Out of PS. Case No.-242 Year-2018 Thana- BIHTA District- Patna

Shyam Nandan Yadav @ Shyam Nandan Kumar aged about 45 years, Male,
Son of Yadunandan Bhagat, R/o village- Daulatpur , P.S- Bihta, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-02-2019 Heard leaned counsels for the petitioner and

learned APP for the State.

The petitioner is languishing in custody since
25.01.2019 in a case registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of
Ranjeet Kumar Singh, Officer-in-Charge, Bihta Police Station
submitted to learned Special Judge, Excise, Patna is to the effect
that on 10.03.2018 at 5.00 A.M, a secret information was
received that near the Railway track, four persons including the
petitioner were preparing country made illicit liquor,
whereupon, a raid was laid, and near the rail track from the
bush, 200 litres of illicit country made liquor were
recovered and on seeing the police party, all the accused



persons including the petitioner escaped from the place of occurrence.

It is submitted by learned counsel for the petitioner that recovery has been made from the bush near the Railway track and the petitioner was not apprehended from the place of seizure. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner escaped from the place of occurrence.

Considering the fact that prosecution case does not suggest recovery from petitioner, coupled with statement made in paragraph no. 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 **Special Judge-Excise, Patna** in connection with **Bihta P.S. Case No.242 of 2018**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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