

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16415 of 2019**

Arising Out of PS. Case No.-205 Year-2018 Thana- LODIPUR District- Bhagalpur

HIRA LAL YADAV, aged about 39 years, Son of Sri Bhagwat Yadav Resident
of Village- Choudharydih , P.S.- Lodipur, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

For the Opposite Party/s : Mr.Rajendra Singh Shastry, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER**

2 27-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
29.01.2019 in connection with Lodipur P.S.Case No.205 of
2018 for the offence alleged under Section 30(A) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information that the petitioner has
concealed huge consignment of illicit liquor in his house, a raid
was conducted and two persons managed to flee away. From the
house 68.975 litres of Indian Made Foreign liquor was
recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and the house was a joint family property, hence the said illicit liquor could not be attributable to the petitioner. Petitioner further undertakes to cooperate in the investigation/trial and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the period of custody as well as the fact that the petitioner does not bear a criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Lodipur P.S.Case No.205 of 2018 to the satisfaction of learned 2nd Additional District Judge-cum-Special Judge, Excise, Bhagalpur.

(Nilu Agrawal, J)

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