

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18438 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- MAIRWAN District- Siwan

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BALIRAM YADAV Son of Sahjeet Yadav @ Sarvajeet Yadav Resident of
Village- Imlauli, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshay Lal Pandit
For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Mairwa P.S. Case No.
250/2018, instituted for offence under Section(s) 272, 273, 308
and 34 of the Indian Penal Code read with Sections 30, 38 and
41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
there is no recovery of any illicit liquor from conscious
possession of this petitioner.

It is alleged in the written report that total 50.940
litres of foreign liquor has been recovered from two
motorcycles. Petitioner and other three accused persons were
found sitting on the motorcycle. They managed to run away.

In this manner, there is no recovery of any illicit



liquor from possession of this petitioner.

It is mentioned in para 3 of bail petition that one more case of Excise Act is pending against the petitioner.

Petitioner is in custody since 20.02.2019.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Mairwa P.S. Case No. 250/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge in such type of activity in future. In the event, he is found indulged in such type of activity, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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