

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77435 of 2018**

Arising Out of PS. Case No.-519 Year-2017 Thana- FATUA District- Patna

Upendra Yadav, S/o Ram Pravesh Yadav @ Ram Prasad Rai @ Ram Prasad Gope, R/o Vill.- Mirzapur Nohta, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 15-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in **Special Case No.8228 of 2017 arising out of Fatuha P.S. Case No.519 of 2017** instituted for the offence under Section(s) 30(a) of Bihar Prohibition and Excise Act, 2016, and Section 120-B Indian Penal Code.

Counsel for the petitioner submits that there is no recovery of any illicit liquor from possession of this petitioner.

In the written report, it is alleged that police apprehended two persons, namely, Vinay Kumar and Ranjit. The police recovered illicit liquor from the house of Vinay Kumar. It is alleged that Vinay Kumar took the name of this petitioner before the police in his confessional statement of having indulged in aforesaid illegal act along with him.



Seizure list is part of the First Information Report, which shows that foreign liquor has been recovered from the house of Vinay Kumar Singh.

Petitioner is in custody since 08.10.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Excise, Patna**, in connection with **Special Case No.8228 of 2017 arising out of Fatuha P.S. Case No.519 of 2017**, subject to the condition that both the bailors shall be close relative of the petitioner.

**(Sanjay Priya, J)**

J. Alam/-

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