

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24203 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

RINKU YADAV, aged about 28 years, Male, S/o Late Chandar Yadav, R/o village- Jamgaon, P.S.- Jagdishpur, District- Bhagalpur

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Satya Veer, Adv.

For the Opposite Party : Mr. Anita Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-04-2019 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 74 of 2019 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 the hut of the petitioner was searched and from the hut 23.325 liters of illicit 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 history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and he is languishing in judicial custody since 04.03.2019.



However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear a criminal antecedent, as stated in paragraph 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 Jagdishpur P.S. Case No. 74 of 2019 to the satisfaction of the learned Additional District & Sessions Judge II-cum-Special Judge, Excise, Bhagalpur, or the successor Court subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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