

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.25388 of 2019**

Arising Out of PS. Case No.-123 Year-2017 Thana- MAGADH MEDICAL COLLEGE  
District- Gaya

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SURENDRA YADAV Son of Late Sohrai Yadav Resident of Village -  
Gopibigha, P.S.- Magadh Medical, Distt. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramashish, Advocate.  
For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

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

3      24-04-2019                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner seeks bail in **Magadh Medical P.S.**  
**Case No. 123 of 2017**, instituted for the offence under  
Section(s) 30(a), 38(a), 41(a) and 47 of Bihar Prohibition and  
Excise Act, 2016.

It is alleged in the written report that 108.750 litres  
of foreign liquor has been recovered from the house of Ramji  
Prasad Yadav.

Counsel for the petitioner submits that petitioner  
has been made accused only because he is brother of Ramji  
Prasad Yadav.

Petitioner is in custody since 22.2.2019.



Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner 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 **learned Special Judge, Excise Gaya**, in connection with **Magadh Medical P.S. Case No. 123 of 2017**, subject to the condition that both the bailors will be the close relatives of the petitioner.

It is mentioned in paragraph-3 of the bail petition that one Excise case of Barachatti P.S. Case No. 489 of 2016 is pending against the petitioner. **Petitioner will file affidavit at the time of furnishing bail bonds that he will not indulge in such type of activity in future, failing which, the bail bonds of the petitioner in the instant case will liable to be cancelled.**

**(Sanjay Priya, J)**

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