

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26475 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- KHAJEKALA District- Patna

BHOLA YADAV Son of Shri Sakaldev Ray Resident of Mohalla - Lala Toli,
P.S.- Khajekalan, Distt - Patna.

... .. Petitioner/s

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Khajekalan P.S.Case No.136 of 2019 , registered for offences punishable under Sections 30(a) the Bihar Prohibition and Excise Act, 2016.

Allegation is about recovery of 25.890 ltrs. of liquor from the '*Khatal*' of the petitioner and he is accused in one more case.

Submission of the learned counsel for the petitioner is that recovery is from the open place and not from the conscious possession or house of the petitioner and though he is accused in one more case but that is not of similar nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Khajekalan P.S.case No.136 of 2019, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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