

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26218 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- PRATAPGANJ District- Supaul

VIVEK KUMAR YADAV S/o Billu Yadav Resident of Village- Manikpur,
P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 17.02.2019 in connection with Pratapganj P.S. Case No. 11 of 2019 for offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel is that while he was on duty the petitioner was apprehended in a motorcycle with 75 litres of illicit liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, nothing has been recovered from his conscious possession and it is quite improbable that 75 litres of 300ml illicit liquor would be



carried in a motorcycle.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent, let the petitioner above named be enlarged 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 Additional District Judge-IIInd-cum-Special Judge, Excise Act, Supaul in connection with Pratapganj P.S. Case No. 11 of 2019, subject to the condition that one of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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