

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31074 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- SAUR BAZAR District- Saharsa

Gopal Yadav Son of Bhagarathi Yadav Resident of Village - Gamhariya, P.S.-
Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 09-05-2019 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with Sour Bazar P.S. Case No. 55 of 2019 instituted for the offence under Section(s) 272/273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act, 2016.

It is alleged in the written report that police got secret information that petitioner stored illicit liquor in his mustard field. Thereafter, a raid was conducted and police has recovered 53 litres of country made liquor from the aforesaid field. It is also alleged that on the basis of disclosure made by the petitioner another raid was conducted at village Ithara and 40 litres of country made liquor was recovered.

Learned counsel for petitioner submits that there is no recovery of any illicit liquor from conscious possession of this



petitioner.

Petitioner is in custody since 19.02.2019.

Considering the aforesaid, 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 the learned Special Judge (Excise Act), Saharsa in connection with Sour Bazar P. S. Case No. 55 of 2019, Special (Excise) caae no. 96 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

It is mentioned in para 3 of the bail petition that two other cases under the Excise Act are pending against this petitioner.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge himself in such type of activities in future. If he is found indulged in such type of activities, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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