

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78692 of 2018

Arising Out of PS. Case No.-351 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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Sundar Yadav Son of Sri Yadav @ Nand Singh Resident of Village-Molna
Chak,P.S. Udwant Nagar (Gajrajganj O.P.),Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2
For the Opposite Party/s : Mr.Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 This application, for grant of anticipatory bail, arises

out of Udwant Nagar (Gajrajganj) P.S. Case No. 351 of 2018,

disclosing offences under Sections 30 (a) of Bihar Prohibition

and Excise Act, 2016.

Allegation is of recovery of 11 litres of liquor from

the house of the petitioner.

Submission of learned counsel for the petitioner is

that the recovery itself is in dispute and there is no compliance

of Section 100 Cr.P.C and petitioner has falsely been made

accused in this case.

Learned counsel for the State opposed the prayer for

bail and submitted that petitioner is an accused in two more

cases but the petitioner has not disclosed the same in his



petitioner. However, he exceeded that those case are under different section of Indian Penal Code and not under the Excise Act.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional District & Sessions Judge – cum- Special Judge, Excise, Bhojpur at Ara, in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 351 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Vinod Kumar Sinha, J)

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