

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31517 of 2019**

Arising Out of PS. Case No.-35 Year-2019 Thana- BARHARIA District- Siwan

MANAGER YADAV Son of Laxman Yadav Resident of Village- Tilsandi  
512, P.S.- Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ramchandra Sahni  
For the Opposite Party/s : Mr.Kalyan Shankar

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

2      15-07-2019                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in Barharia P.S. Case No.  
35/2019, instituted for offence under Section(s) 272, 273,  
308/34 of the Indian Penal Code read with Sections 34(B), 36  
and 38 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner has submitted that  
as per seizure-list recovery of illicit liquor has been made from  
near tree. There is no recovery of any illicit liquor from  
conscious possession of petitioner.

It is mentioned in para 3 of bail petition that one more  
case of Excise Act is pending against this petitioner.

Petitioner is in custody since 06.04.2019.

Considering the aforesaid facts and circumstances,



prayer of the petitioner for grant of bail 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 the learned 2<sup>nd</sup> Addl. Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Barharia P.S. Case No. 35/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

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

**(Sanjay Priya, J)**

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