

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68224 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- NAUTAN District- West Champaran

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Giri @ Birendra Yadav @ Giri @ Virendra Yadav, S/o late Ashesar Yadav,
Resident of Village- Bhagwanpur, Police Station- Nautan District- West
Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the informant, being a police officer received a secret information to the effect that the petitioner use to bring illicit liquor from Uttar Pradesh through Gandak water channel, whereupon a raid was laid and 180 bottles of illicit foreign liquor of 180 ml each and a motorcycle were recovered from the heap of the straw kept in the cattle shed of the petitioner.



It is submitted by learned counsel for the petitioner that the petitioner has no concern with the said cattle shed and recovery has been made from the open area. Though, the petitioner is accused in one another case of similar nature but he is on bail in that case.

Learned APP submits that the recovery has been made from the cattle shed of the petitioner.

Considering the fact that recovery has been made from the open area, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Bettiah, West Champaran in connection with Nautan P.S. Case No. 70 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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