

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66492 of 2019**

Arising Out of PS. Case No.-172 Year-2017 Thana- AKBARPUR District- Nawada

Rajesh Yadav Son of Munshi Yadav Resident of Village - Supaul, P.S.-
Akbarpur, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 21.08.2019 in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that from the possession of the petitioner, 180 litres of illicit country made liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house and co-accused Vikash Kumar @ Karu Sao, from which house, 120 litres of illicit country made liquor were recovered, has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 11.09.2018 passed in Cr. Misc. No. 53709 of 2018. The order has been annexed as Annexure-2. A



statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the recovery has been made from the possession of the petitioner.

Considering the nature of recovery from joint family house, investigation being concluded and almost similarly situated co-accused has been granted anticipatory bail, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned Additional Sessions Judge IInd -cum- Special Judge, Nawada in connection with Akbarpur P.S. Case No. 172 of 2017.

(Dinesh Kumar Singh, J)

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