

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76629 of 2019

Arising Out of PS. Case No.-344 Year-2018 Thana- BARH District- Patna

UDAY KUMAR @ UDAY YADAV Son of Sri Mahesh Yadav @ Mahesh Prasad Resident of Village-Hardayal Bigha, P.S-Belchhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-11-2019 Heard counsel for the petitioner and counsel
appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Barh P.S. Case No. 344 of 2018 for offences under Sections 30(a), 38 and 41 of the Bihar Prohibition & Excise (Amendment) Act, 2016.

Counsel for the petitioner submits that the petitioner has no criminal antecedent. Referring to the prosecution case he submits that there is no recovery from the conscious possession or from the house of the petitioner. It is alleged that liquor was seized near the railway track and as such the petitioner cannot be fastened with any accountability under the Bihar Prohibition and Excise Act.

Considering the aforesaid, the court is inclined to



enlarge the petitioner on bail. Let the petitioner, above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Patna in connection with Barh P.S. Case No. 344 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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