

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72517 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- CHAKAND District- Gaya

UPENDRA YADAV Son of Vishunadayal Yadav Resident of Village - Krit
Nawada, P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Chakand P.S. Case No. 93 of 2019 dated 14.07.2019 instituted for the offence under Section 353 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

One Surendra Yadav is stated to have been arrested with five litres of liquor. He has named the petitioner as one of his accomplices who could manage to run away on seeing the police party. Thus, the implication of the petitioner in this case is only on the basis of confession of an arrested accused person.

The petitioner does not have criminal antecedents.



On these grounds, it has been urged that no offence under the Bihar Prohibition and Excise Act, 2016 can at all be said to have been made out against the petitioner.

For the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya in connection with Chakand P.S. Case No. 93 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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