

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1451 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- MAIRWAN District- Siwan

Vikash Kumar Yadav @ Vikash Ku. Yadav, Son of Late Brij Kishore Yadav @ Brij Kishor Chaudhary, Resident of Village - Thepahan Uttar Tola, P.S. Zeradei, District - Siwan. under the guardianship of his mother Munni Devi ,W/O Late Brij Kishor Chaudhary @ Brij Kishor Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Respondent/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-12-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner has prayed for his release on bail as vide order dated 06.11.2019, the learned 1st Additional District & Sessions Judge, Siwan has dismissed the prayer for bail of the present petitioner in Criminal Appeal No.70 of 2019, which had been filed challenging the order dated 01.10.2019 passed by the learned Principal Magistrate, Juvenile Justice Board, Siwan in G.R. No.766 of 2019, arising out of Mairwa P.S. Case No.201 of 2019, Juvenile Trial No.231 of 2019. By the said order, the Juvenile Justice Board, Siwan has refused to release the petitioner on bail in connection with Mairwa P.S. Case No.201 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that though the alleged recovery of 72 litres of wine was not from



the conscious possession of the petitioner and he has been declared to be a juvenile as his age has been declared to be 15 years 3 months 17 days, the petitioner denied the privilege of bail. It is further submitted that since the petitioner was coming back from the coaching after purchasing his daily use articles, the police demanded the documents of the vehicle and as there was some altercation between himself and police, the alleged recoveries were saddled on his shoulders and he is languishing in jail.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedents, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Siwan, in connection with G.R. No.766 of 2019, Mairwa P.S. Case No.201 of 2019, Juvenile Trial No.231 of 2019.

(Anjana Mishra, J)

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