

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81237 of 2019**

Arising Out of PS. Case No.-180 Year-2019 Thana- PARBATTa District- Khagaria

SHREE LAL YADAV @ SRILAL YADAV Son of Late Malhu Yadav
Resident of Village- Baisa, P.S.- Maraiya (Parbatta), District- Khagaira.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Pushpa Sinha.1

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

2 11-12-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.10.2019 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the orchard adjacent to the house of the petitioner, 51.75 litres of Indian Made Foreign Liquor were recovered. It is further alleged that the petitioner managed to escape from the scene.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the orchard adjacent to the house of the petitioner.



Considering the fact that the recovery has been made from an open area, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period under custody, let the petitioner above named 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 the learned Special Judge, Excise Act, Khagaria in connection with Parbatta (Maraiya) P.S. Case No. 180 of 2019.

(Dinesh Kumar Singh, J)

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