

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83063 of 2019

Arising Out of PS. Case No.-246 Year-2019 Thana- DUMRAO District- Buxar

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DHEERAJ YADAV Son of Suchit Yadav @ Sujit Yadav Resident of Village -
Pratap Sagar, P.S.- Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

2210.040 litres of foreign liquor is said to have
been recovered from the bounded land of Hira Rai, which is said
to have been kept there by the six named accused persons
including the petitioner who managed to escape.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has no
concern either with the seized liquor or place of recovery or any



trade of liquor. He has been falsely implicated in the case at the instance of his enemy. There is violation of Section 100 Cr.P.C. Identity and genuineness of the source of information has not been mentioned in the written report. He has no criminal antecedent and has been languishing in custody since 06.11.2019. Similarly situated co-accused, namely, Khesari Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 11.12.2019 passed in Cr. Misc. No. 81368 of 2019.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Addl. District and Sessions Judge cum Special Judge, Excise Act, Buxar in connection with Dumraon P.S. Case (N B O P) No. 246 of 2019 (C I S Excise 704 / 2019, Excise G.R. No. 592/2019.

(Prakash Chandra Jaiswal, J)

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