

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.371 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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Raj Kumar Yadav, aged about 42 years, Male, son of Shivpujan Yadav,
resident of Village Khem Matihaniya, P.S. Vishambharpur, Dist. Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5
For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Vishambharpur P.S. Case No. 139 of
2019 (G.R. No. 1324 of 2019) registered for offences under
sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the police has made aa
search and recovered 18 litres of illegal wine behind the house
of the accused Hareram Singh which was kept in a plastic bag.

The petitioner has got no criminal antecedent as
has been stated in paragraph no.3 of the present application.

Looking to the quantity of liquor recovered as also
the petitioner having no criminal antecedent, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 learned Additional District and Sessions Judge II cum Special Judge (Excise), Gopalganj in connection with Vishambharpur P.S. Case No. 139 of 2019 (GR No. 1324 of 2019) subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

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