

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3352 of 2020**

Arising Out of PS. Case No.-119 Year-2019 Thana- DEO District- Aurangabad

Gautam Yadav S/o Shiv Yadav R/o village- Pakaddih, Murgada, Nima Anjan,  
P.S.- Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      05-03-2020      Heard learned counsel for the petitioner and learned APP  
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Deo P.S. Case No.119 of 2019, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, two accused persons namely Subodh Kumar and Chhotu Kumar were caught with 2 litres of country liquor. It is stated that they confessed that it was the petitioner who had given the said wine to be handed over to one Pappu Paswan.

It is submitted by learned counsel for the petitioner that the name of the petitioner has transpired on the confession of



the co-accused before the police. No incriminating material has been recovered from the person or possession of the petitioner. The petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Deo P.S. Case No.119 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

**(Partha Sarthy, J)**

Bibhash/-

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