

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4988 of 2020

Arising Out of PS. Case No.-290 Year-2019 Thana- MUFFASIL District- Aurangabad

GAJADHAR YADAV Gajadhar Yadav Resident of Village - Netlal Bigha,
P.S.- Fesar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 290 of 2019, registered under
Sections 30(a), 30(b), 30(c) and 30(d) of the Bihar Prohibition
and Excise Act.

The accusation is that on receiving secret
information about storing and selling of liquor in the Khalihan
of Gajadhar Yadav (Petitioner) in village-Netlal Bigha, the
informant along with other Police personnel reached there. On
seeing the Police vehicle, three persons started fleeing, but, on
chase, two persons were apprehended, who disclosed their
names Anil Kumar and Jitendra Kumar. On search, 70 bottles,
each containing 300 ML, 340 pouches, each containing 200
ML country made liquor and one pouch packing machine
recovered. In course of search, Gajadhar Yadav (Petitioner)



succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot from where two persons, namely, Anil Kumar and Jitendra Kumar were apprehended and bottles and pouches of country made liquor are also said to be recovered. Further submission is that petitioner is not the owner of the Khalihan and he has no criminal antecedent, but with ulterior motive, the petitioner has falsely been implicated in this case on the instigation of the villagers due to dirty village politics.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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. Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 290 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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