

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13975 of 2020

Arising Out of PS. Case No.-545 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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Manoj Kumar @ Manoj Kumar Yadav @ Manoj Yadav, male, aged about 40
years, Son of Surender Yadav, Resident of Village - Moshipur, P.S.- Sadar,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-06-2020 Heard Mr. Chandra Kant, learned counsel for

the petitioner and Ms. Rita Verma, learned APP for the

State.

The petitioner seeks bail in connection with

G.O. Case No. 05 of 2020 arising out of Sadar P.S.

Case No. 545 of 2019, dated 31.12.2019, instituted for

the offences under Sections 30(a) and 37(b) of the



Bihar Prohibition and Excise Act, 2016.

It appears from the prosecution report that 120 litres of liquor was recovered and which recovery is stated to be at the instance of the petitioner.

Learned counsel for the petitioner has submitted that the recovery has wrongly been saddled upon him as it is from an open space which is accessible to all persons. Whatever has been recovered from a standing vehicle does not belong to the petitioner and he has no concern with the transportation of the same.

The petitioner is stated to be in custody since 01.01.2020 and as instructed, learned counsel for the petitioner submits that there is no criminal antecedent of the petitioner.

Considering the facts aforesaid, the petitioner above-named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District Judge-II-Cum-Special Judge (Excise Act),



Darbhanga in connection with G.O. Case No. 05 of
2020 arising out of Sadar P.S. Case No. 545 of 2019.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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