

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11808 of 2020

Arising Out of PS. Case No.-120 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Rajeev Yadav Son of Late Suresh Yadav Resident of Village-Makramdih,
Police Station-Rajoun, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Excise Complaint Case no. 120 of 2018 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on search being conducted
by the police personnel, a total of 15.185 litres of illicit liquor
was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that
from perusal of the prosecution report it would transpire that
when the alleged recovery is stated to have been made from the
house, the wife of the petitioner was present. She is not an
accused in the case. It is submitted that in fact no recovery
whatsoever took place and the petitioner has no other case
against him under the Excise Act.

The application for bail is opposed by learned counsel for
the State.

Having heard learned counsel for the parties and in the



facts and circumstances of the case, taking into consideration the quantity of the liquor recovered and the petitioner not having any earlier case against him under the Excise Act, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Excise Complaint Case no. 120 of 2018 will 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 learned Additional Sessions Judge II, Banka subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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