

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11273 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- JADOPUR District- Gopalganj

UMESH YADAV S/o Parshan Yadav R/o village- Bhagwanpur (Bagaha),
P.S.- Nautan, District- Bettiah (West Champaran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 13-05-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in connection with Yadopur P.S. Case No. 03/2020 registered for the offences punishable under Sections 188, 353, 307 and 506/34 of the Indian Penal Code, 27 of the Arms Act and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Near about 520 litres liquor was recovered from a boat. The petitioner was found sitting on the aforesaid boat whereas other persons managed to escape when police raided the said boat.

Learned Additional Public Prosecutor submits that it is a case of inter-state transportation of illicit liquor and, therefore, the petitioner does not deserve privilege of bail.



Admittedly, the petitioner is in jail custody since 12.01.2020 and the investigation against him has already been completed. Moreover, the perusal of case diary goes to show that seized liquor was being carried out not only by the petitioner but others also, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, 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 Special Judge, Excise, Gopalganj/concerned court in connection with Yadavpur P.S. Case No. 03/2020.

However, it is made clear that if the petitioner fails to make available sureties due to lock down as well as due to prevailing situation, the concerned court shall release the petitioner provisionally on personal bond with condition that petitioner shall furnish the sureties when lock down is over.

(Hemant Kumar Srivastava, J)

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