

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13079 of 2020**

Arising Out of PS. Case No.-37 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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KRISHNA KUMAR YADAV @ CHHOTAN Son of Janak Yadav R/o
Village- Saheb Chak, Ward No. 3, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of **Excise
Case No. 37 of 2020**, disclosing the offence under Section 30(a)
of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegedly from near the cattle-shed of the petitioner,
the Excise Officials recovered 34.560 litres of foreign liquor.
The petitioner was arrested from the said cattle-shed.

Learned counsel appearing on behalf of the petitioner
has submitted that it cannot be said on the basis of what has
been alleged in the prosecution report that the contraband
articles were recovered from the petitioner's conscious
possession.



On perusal of the First Information Report, I find substance in submission made on behalf of the petitioner.

Considering the aforesaid facts and circumstances of the case, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned A.D.J.-II cum Special Judge, Excise, Gopalganj**, in connection with **Excise Case No. 37 of 2020**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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