

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14302 of 2020

Arising Out of PS. Case No.-619 Year-2019 Thana- BARH District- Patna

NAVLESH KUMAR @ NAVLESH KUMAR YADAV S/o Rajendra Yadav
Resident of Gulab Bag, P.S.- Barh, Distt- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Dr. Mritunjay Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-05-2020 Heard learned counsel for the petitioner and learned
counsel for the State via video conferencing.

The petitioner has filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Barh P.S. Case No. 619 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The contention of the petitioner is that the alleged recovery of about 154 lts. of country made wine is not from the conscious and exclusive possession of the petitioner. The petitioner being the owner of the house had leased out a part of the premises to the co-accused, who admittedly managed to escape when the police raided the house. It is further contended that having no criminal antecedent, the petitioner is in custody



since 28.12.2019. Since the investigation of the case has been completed and charge-sheet has been filed in the court, there is no likelihood of absconding or tampering with the evidence.

Learned counsel for the State has opposed the application for grant of bail.

Considering the facts and circumstances of the case, and the submissions advanced on behalf of the parties, the prayer for bail is allowed, the petitioner is directed to be released on bail on furnishing bail bond of Rs.5000/- (five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Barh P.S. Case No. 619 of 2019.

(Ashwani Kumar Singh, J)

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