

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26040 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- MANSAHI District- Katihar

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DILKHUSH YADAV S/o Late Shiv Kumar Yadav Resident of Gadighat, P.S.-
Mansahi, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-10-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks from the date of lifting of the lockdown in the State
of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 30(a) & 37(b) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, in short, is that 30 liters wine is
recovered by the side of Gadighat Badhar.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 29-03-2020. It is alleged that 30 liters wine is recovered by the side of Gadighat Badhar. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Katihar in connection with Mansahi P.S. Case No. 85 of 2019.

(Sudhir Singh, J)

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