

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21598 of 2020

Arising Out of PS. Case No.-245 Year-2019 Thana- KONCH District- Gaya

DEEPU YADAV Son of Shyamdeo Yadav @ Bajrangi Yadav Resident of
Village - Garari Mathiya, P.S.- Konch, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the State : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2020 Heard Mr. Prithivi Raj Singh, learned counsel for the
petitioner and Mr. Ram Sumiran Rai, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the Stamp Reporter
within eight weeks.

Petitioner seeks regular bail in connection with Konch
P.S. Case No. 245 of 2019 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner as per the First
Information Report is that the police party on getting
information that the petitioner along with other accused persons
are indulged in manufacturing wine near the bank of river,
proceeded towards the place of occurrence and recovered a total



quantity of 120 litres of illicit liquor. On seeing the Police party, all the accused persons fled away.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as he was not arrested from the place of occurrence. Learned counsel further submits that illicit liquor has been recovered from the bank of river which is an open space accessible to all and sundry. Learned counsel also submits that similarly situated co-accused persons have already been granted regular bail by coordinate Benches of this Court vide orders dated 21.10.2019 and 18.01.2020 passed in Cr. Misc. Nos.66752 of 2019 and 73688 of 2019 respectively. The petitioner is in custody since 9.2.2020.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from conscious possession of the petitioner and similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount



each to the satisfaction of learned Special Judge (Excise), Gaya,
in connection with Konch P.S. Case No. 245 of 2019.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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