

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22154 of 2020

Arising Out of PS. Case No.-850 Year-2019 Thana- MADHEPURA District- Madhepura

PRABHASH YADAV @ UDEN KUMAR @ PRABHASH KUMAR Son of
Harilal Yadav Resident of Village - Naulakhiya, P.S.- Madhepura, Distt.-
Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2020 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
defects, 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 instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 248.740 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 17.03.2020 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 348.740 liters wine is recovered. 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./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Vinay Prakash Tiwary, Special Judge, Excise Act, Madhepura in connection with Madhepura P.S. case No.850 of 2019 arising out of Excise Act case No.1062 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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