

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26860 of 2020**

Arising Out of PS. Case No.-280 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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UPENDRA YADAV S/o Late Laxmi Yadav @ Lakshmi Yadav Resident of
Village-Bela Shankar, P.S.-L.M.N.U, District-Darbhangha.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-10-2020 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mr. Arun Kumar Singh, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
L.M.N.U. P.S. Case No. 280 of 2019 registered for the offence
under Section 272 / 273 / 34 of the I.P.C., Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016 and Section 20 / 22 of
the N.D.P.S. Act.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this court in Cr. Misc. No.
79214 of 2019 vide order dated 18.12.2019.

The allegation against the petitioner as per the First



Information Report is that the Police raided the joint house of the petitioner and his brother Lalo Yadav and recovered a total quantity of 744.48 liters of illicit foreign liquor along with 600 grams of Ganja.

Learned counsel for the petitioner submits that the illicit liquor as well as Ganja in question has been recovered from the joint family property of the petitioner and the petitioner is having no criminal antecedent. Learned counsel further submits that similarly situated accused person i.e. the brother of the petitioner namely, Lalo Yadav @ Lalu Yadav has been granted bail by this Court in Cr. Misc. No. 78557 of 2019 (Annexure- 3 to this bail application).

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated accused person has been granted bail and the petitioner remained in custody since 13.09.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond 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) Darbhanga / court concerned in connection with L.M.N.U. P.S.



Case No. 280 of 2019.

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

(Anil Kumar Sinha, J)

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