

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27185 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- MIRGANJ District- Gopalganj

AAKASH YADAV @ AKASH YADAV @ AAKASH KUMAR S/o Amarajit
Yadav @ Amarjit Yadav @ Bechu Yadav R/o Village- Jigna Jagarnath, P.S.-
Mirganj, District- Gopalganj- 841438.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Nirmala Kumari
For the Opposite Party/s : Mr.S.M. Rehman, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-10-2020 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 defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

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) and 37(b)(c) of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 361.4 liters wine is



recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.05.2020. 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 361.4 liters wine is recovered from the broken Bhusauli of the petitioner. 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 aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum- Special Judge, Excise Act, Gopalganj in connection with Mirganj P.S. Case No. 246 of 2019.

(Sudhir Singh, J)

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