

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28231 of 2020

Arising Out of PS. Case No.-876 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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MITHILESH YADAV, Son of Shyam Narayan Yadav Resident of Village-
Mahadipur, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-12-2020 Heard Mr. Dhirendra Kumar Sinha, learned

counsel for the petitioner and Mr. Braj Kishore Prasad,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Excise Case No. 876 of 2019

instituted for the offences under Sections 30 (a) and 36

of the Bihar Prohibition and Excise Act, 2016.

It has been submitted that liquor has been

recovered from a poultry-farm which has wrongly been

stated to belong to the petitioner. Two other persons

were arrested and on their statement, the raid was



conducted.

The learned counsel for the petitioner has specifically stated in response to the question put by the Court that the petitioner does not have any connection with the poultry-farm where the recovery has been made.

The petitioner claims to be a person of clean antecedents.

Under the afore-stated circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge – II, Jehanabad, in connection with Excise Case No. 876 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



While granting bail, the court below shall verify the correctness of the statement made on behalf of the petitioner that the poultry-farm, from where recovery has been made does not belong to the petitioner at all. If the information is found to be incorrect, this order shall not be implemented and a proceeding be initiated against the petitioner for perjury.

The application stands allowed with the aforesaid observation.

(Ashutosh Kumar, J)

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