

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31719 of 2020

Arising Out of PS. Case No.-561 Year-2018 Thana- BRAHMPUR District- Buxar

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DINESH YADAV S/o- Bihari Yadav R/o Village- Balua, P.S.- Brahmpur,
District- Buxar.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr.Umesh Kumar Singh, Advocate.
For the State : Mr. Binod Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 24.11.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Brahmpur P.S. Case No.561 of 2018 (CIS-Excise-1149 of 2018)/Excise G.R. No.943 of 2018, registered under Section 30(a) of the Bihar Prohibition of Excise (Amendment) Act, 2018.



The accusation is that in course of patrolling duty, the informant along with other police personnel received information about carrying the illicit liquor towards Bind Toli Ghat by some persons. Thereafter, the informant along with other police personnel reached there and saw five-six persons on three motorcycles with five sacks. On seeing the police party, all started to flee away from there throwing the five sacks. While they were chased but they succeeded to flee away. At that time, the local Chowkidar identified the five persons as Manji Bind, Saral Bind, Putul Singh, Dinesh Yadav (petitioner) and Sitaram Yadav. On search of five sacks, in each sack, 180 bottles containing 180 ml. Liquor, was found.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot. In fact, the petitioner is accused in four other cases of similar nature, due to that reason, the police managed to implicate the petitioner in the present case. The petitioner is in custody since 06.03.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the 2nd Additional Sessions Judge-cum-Special Judge (Excise), Buxar, in connection with Brahmpur P.S. Case No.561 of 2018 (CIS-1149 of 2018)/(Excise G.R. No.943 of 2018).

(Rajendra Kumar Mishra, J)

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