

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33559 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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HEERA YADAV, aged about 34 years, Male, Son of Bishwanath Yadav,
Resident of Village- Baliwan Raymal, P.S.- Vishambharpur, District-
Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ranjeet Kumar Pandey, Advocate.
For the Opposite Party : Mr.Dr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2020 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 after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 53.8 liters
wine is said to have been recovered from the Motorcycle of the



petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 02.08.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 53.800 liters wine is recovered from the Motorcycle of the petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise, Gopalganj, in connection with Vishambharpur P.S. Case No. 116/2020.

(Sudhir Singh, J)

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