

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 80769 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- SIMRI District- Buxar

RAJESH YADAV @ BHUAR YADAV Son of Sri Ram Yadav Resident of
Village-Garjan Pathk, Ke Dera, P.S.-Simari, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **13-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Simari (TRH OP) Police
Station (for brevity, PS) Case No 281 of 2019 instituted for the
offence punishable under Section (s) 30 (a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

Since 25.09.2019, petitioner is in custody. Allegation is
regarding recovery of 230 liters of Indian made foreign liquor
from the boat in the river and the motorcycle parked near the
side of the river. The petitioner is said to be arrested from the
boat in question. It is submitted that the petitioner has no
concern with the recovered banned substance. He has no
criminal antecedent and has been falsely implicated in this case.



Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise), Buxar in connection with Simari (TRH OP) PS Case No 281 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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