

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86514 of 2019

Arising Out of PS. Case No.-505 Year-2019 Thana- BARH District- Patna

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1. Subodh Kumar @ Subodh Kumar Yadav Son of Surendra Yadav
 2. Sonu Kumar @ Sonu Ram Son of Raj Kuamr Ram
Both resident of Village-Puraibag P.S.- Barh District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Tej Narayan Singh, Advocate
For the Opposite Party : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-07-2020 At the very outset, learned counsel for the petitioners submits that petitioner no. 2, namely, Sonu Kumar @ Sonu Ram has been arrested during the pendency of this application and and as such, his application has become infructuous.

The application on behalf of petitioner no. 2, namely, Sonu Kumar @ Sonu Ram is dismissed as infructuous.

So far as petitioner no. 1, namely, Subodh Kumar @ Subodh Kumar Yadav is concerned, heard learned counsel for petitioner no.1 and learned Additional Public Prosecutor appearing on behalf of the State.

Petitioner No.1 is apprehending arrest in connection with Barh P.S. Case No. 505 of 2019 for offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



Learned counsel appearing on behalf of petitioner no.1 submits that the petitioner has no criminal antecedent and in the instant case total 25 litres of country made liquor was recovered from the possession of co-accused Bijay Kumar. Learned counsel submits that the name of the petitioner was disclosed by co-accused Bijay Kumar.

Considering the fact that petitioner no. 1, namely, Subodh Kumar @ Subodh Kumar Yadav has no criminal antecedents, the Court is inclined to grant bail to him subject to the condition that the petitioner has to deposit Rs.10,000/- in cash. On depositing the amount of Rs.10,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna in connection with Barh P.S. Case No. 505 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.10,000/- (Rupees ten thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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