

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84524 of 2019

Arising Out of PS. Case No.-374 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Sonu Kumar Yadav @ Sonu Kumar, aged 18 years, Male, Son of Jugul Chaudhary @ Yugul Chaudhary Resident of Village - Matihani Madho, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha with
Mr. Shafiur Rahman, Advocates

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 17-03-2020

Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Gopalganj Excise Case No. 374 of 2019 dated 29.10.2019
instituted under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018

3. It is alleged that from the house of the petitioner
6.480 litres of wine was recovered.

4. Learned counsel for the petitioner submitted that
the house was under construction and the petitioner had not
brought any wine in the house. It was further submitted that the



recovery is not from the conscious possession of the petitioner.

5. Learned APP, from the case diary, submitted that from the house of the petitioner wine was recovered. However, he could not controvert that only 6.480 litres of wine was recovered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousands) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in Gopalganj Excise Case No. 374 of 2019. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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