

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 385 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- MIRGANJ District- Gopalganj

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DIPAK YADAV Son of Paras Yadav Resident of Village - Balesar Tola,
Jalulehara, P.S.- Uchkagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Mirganj Police Station (for
brevity, *PS*) Case No 268 of 2019 instituted for the offence
punishable under Section (s) 30 (a) of Bihar Excise and
Prohibition Act, 2016.

547.020 liters of illicit liquor is said to have been
recovered from the ditch of the roadside. Learned counsel for
the petitioner submits that other than suspicion and alleged
secret information, there is nothing to connect the petitioner
with the occurrence/recovery. There is no recovery from the
petitioner's possession and he was not present at the time and
place of recovery. He is in custody since 21.11.2019 and is on



bail in Uchkagaon PS Case No 72 of 2019 since before.

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, Gopalganj in connection with Mirganj PS Case No 268 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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