

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86845 of 2019

Arising Out of PS. Case No.-324 Year-2018 Thana- MIRGANJ District- Gopalganj

RAKESH YADAV Son of Late Sudama Chaudhary Resident of Village -
Neruee, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

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, who is in custody, seeks bail in connection with Mirganj PS Case No. 324 of 2018 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

64 Litres of illicit liquor is alleged to have been recovered from a Tempo. Allegation is that three persons upon being stopped fled away from the vehicle.

Petitioner's Counsel submits that he is not named in the FIR and has clean antecedent. It is submitted that merely because his name has been said by co-accused he has been arrayed as an accused in the instant case and has been taken into custody. There is no recovery of illicit liquor from his



possession. He is in custody since 13.11.2019.

Considering the rival submissions, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise, Gopalganj in Mirganj PS Case No. 324 of 2018 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 in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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