

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26553 of 2021

Arising Out of PS. Case No.-533 Year-2018 Thana- MASAUDHI District- Patna

GORAKH YADAV Son of Nanhaku Yadav Resident of Village- Maharaj
Kuwar, P.S.- Masaudhi, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted while the sixteen named accused persons including the petitioner herein managed to escape, it is stated that 140 litres of *Mahua* liquor was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from possession of the petitioner. He has no concern either with the land from which it was recovered nor from the seized articles. The cause of his false implication is his criminal antecedent.



The petitioner is in custody since 29.1.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the allegations as levelled in the F.I.R. together with the petitioner not having been caught at the spot and the petitioner having remained in custody for over 9 months, this Court directs the petitioner to be enlarged on bail in connection with Special Case no. 6715 of 2018 (arising out of Masaudhi P.S. Case no.533 of 2018) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

