

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32899 of 2021

Arising Out of PS. Case No.-144 Year-2019 Thana- FULKAHA District- Araria

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LALU KUMAR YADAV @ LALU YADAV S/O SAMAT LAL YADAV R/O
VILLAGE-ACHARA, P.S-FULKAHA, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh- Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2021 Heard the learned Advocate for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with Fulkaha
P. S. Case No.144 of 2019, instituted for the offences under
Sections 30(a), 38, 45 of the Bihar Prohibition and Excise Act,
2016 and Sections 223, 224, 225 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 11.12.2019 and charge-sheet has
been submitted in this case.

The allegation is of recovery of 04 litres of country-
made liquor from the house of Jalo Urao @ Jaleshwar Urao and
with respect to this petitioner, it is alleged that he found in a
drunken condition.

The learned A.P.P. for the State opposes the bail



application and submits that petitioner was found in drunken condition and that is the offence under the Excise Act.

Considering the fact that the petitioner is in custody since 11.12.2019 and charge-sheet has been submitted in this case and the allegation against this petitioner is of drinking, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P. S. Case No.144 of 2019, Special Case No.1215 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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