

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1584 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- MADANPUR District- Aurangabad

=====

Gora Yadav @ Mithilesh Kumar, S/o Shree Tripurari Yadav Resident of
Village- Gaival Bigha (Gwal Bigha), P.S.- Madanpur, Distt- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-09-2021 As prayed for, let the learned counsel appearing for the

petitioner remove the defect(s), as pointed out by the office, within

four weeks of starting of the Court proceeding in physical mode in

normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with
Madanpur P.S. Case No. 50 of 2020 registered under Section 30(A)
of the Bihar Excise Act.

The accusation is that in course of patrolling duty, one
person was seen moving on motorcycle tagged with a sack at the
back of the said motorcycle. On seeing the police party, while he
tried to flee away but he was caught hold with the motorcycle. On
search of sack tagged with the motorcycle, 40 litre country made



liquor recovered. The person, who was apprehended, disclosed his name as Satish Yadav and also disclosed the name of Gora Yadav (petitioner) and Rakesh Kumar, who were indulging in selling the illicit liquor with him.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot but he has been implicated in the present case showing in the confessional statement of co-accused, Satish Yadav, in fact, police implicated the petitioner, as he is accused in Madanpur P.S. Case No. 257 of 2018, which is similar nature of that case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge(Excise), Aurangabad (Bihar), in connection with Madanpur P.S. Case No. 50 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

U		T	
---	--	---	--

