

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6207 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- FESHAR District- Aurangabad

YUGAL YADAV son of Jagdish Yadav @ Jagdip Yadav Resident of Village-
Gheghwa, P.S.- Feshar, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-04-2021 Heard Mr. Krishna Prasad Singh, learned senior

counsel for the petitioner and Md. Aslam Ansari, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Fesar P.S. Case No. 100 of 2020 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise (Amendment) Act, 2018.

The allegation as per the First Information Report

is that the Police on getting information, proceeded towards

the place of occurrence and upon seeing the Police party,

the petitioner tried to flee away, but was caught and Police

recovered 360 litres of illicit country made liquor from 12



bags kept on the road.

Learned senior counsel for the petitioner submits that from perusal of the First Information Report and the seizure list it would be evident that the liquor has been recovered from the road and not from the conscious possession of the petitioner. Learned counsel next submits that the petitioner has got no criminal antecedent and he is in custody since 8.10.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that illicit country made liquor has not been recovered from conscious possession of the petitioner, he is in custody since 8.10.2020 and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge, Excise, Aurangabad, in connection with Fesar P.S. Case No. 100 of



2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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