

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6047 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- BARGAINIA District- Sitamarhi

GUDDU YADAV SON OF MAHENDRA YADAV RESIDENT OF
VILLAGE- MASAHA ALAM, P.S- BAIRGANIA, DISTT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bairgania P.S. Case No. 66 of 2020 registered for the offence punishable under Section 30 (a), 41 of the Bihar Excise and Prohibition Act.

841.5 liters of Nepali Saufi Wine is said to have been recovered from the *Bolero* Vehicle.

It is submitted by learned counsel for the petitioner that



no incriminating article has been recovered from the conscious physical possession of the petitioner. He submits that there is no recovery from the conscious possession of the petitioner rather the said Nepali wine has recovered from the *Bolero* vehicle which is not belongs to the petitioner. He submits that name of the petitioner transpired on the basis of confessional statement of local *Chowkidar*. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case due to dirty village politics and the biased intention. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 27.09.2020.

Petitioner is agreed to deposit a sum of Rs. 15,000.00 (Rupees Fifteen Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection



with Bairgania P.S. Case No. 66 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.15,000.00 (Rupees Fifteen Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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