

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9893 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

JAI PRAKASH YADAV @ PRAKASH YADAV S/O Late Ram Lakhan
yadav @ Lakhan Chaudhary Resident Of Village - Harkhua, Ward No. 23, P.
S. - Gopalganj, District - Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard the learned counsel for the petitioner

and learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Gopalganj P.S. Case No. 167

of 2020 instituted for the offences under Section 30(a)

of the Bihar Prohibition and Excise Act.

196.634 litres of liquor is said to have been

recovered from near the *Harkhua* stream. The people



who were gathered at the time of raid disclosed the name of petitioner as the person who had run away at the time of raid.

The learned counsel for the petitioner has submitted that such accusation is absolutely vague. He has got no concern with the seized liquor. The petitioner though was earlier made accused in a case in which he is on bail but that case is not for Excise Act.

On these grounds, it has been urged that no case under the Excise Act can at all be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge



(Excise Act), Gopalganj in connection with Gopalganj
P.S. Case No. 167 of 2020, subject to the condition laid
down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashutosh Kumar, J)

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