

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13737 of 2021

Arising Out of PS. Case No.-246 Year-2019 Thana- MIRGANJ District- Gopalganj

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Jit Prakash Yadav @ Ankit Yadav @ Ankit Kumar, male, aged about 26 years,
S/o Amarajit Yadav @ Bechu Yadav, R/o Village- Jigna Jagarnath, P.S.-
Mirganj, District- Gopalganj- 841438.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Narayan, Adv.

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-01-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Mirganj P.S. Case No. 246 of
2019, dated 08.10.2019, instituted for the offences under
Sections 30(a) and 37(b)(c) of the Bihar Prohibition and
Excise Act, 2016.

361.440 litres of liquor is said to have been
recovered from a fodder house belonging to the father of the



petitioner.

The learned counsel for the petitioner has fairly stated before this Court that his father and brother have been made accused in this case. The petitioner has been made accused in this case only on the presumption that the entire family is involved in the trade of liquor.

The fact of the matter, according to the counsel for the petitioner, is that the petitioner hardly visits his village home and for his livelihood, he runs a common service centre under Digital India Scheme. Merely, because the father and the brother of the petitioner have been made accused in this case, the investigator is of the view that the entire family is involved in this liquor trade and therefore he is sought to be prosecuted in this case.

The petitioner does not have criminal antecedents.

Regard being had to the facts afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of
learned Addl. District and Sessions Judge-II-Cum-Special
Judge, Excise Act, Gopalganj in connection with Mirganj P.S.
Case No. 246 of 2019, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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