

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11352 of 2022

Arising Out of PS. Case No.-491 Year-2021 Thana- BIHPUR District- Bhagalpur

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LALU KUMAR YADAV S/o Late Bhumi Yadav R/o village- Narayanpur,
P.S.- Bihpur (Bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihpur (Bhawanipur) P.S. Case No. 491 of 2021 lodged under
Sections 30(b) and 30(c) of Bihar Prohibition and Excise Act,
2018.

Learned counsel for the petitioner submits that name
of the petitioner is figured in this case by the hearsay evidence
that is to say the local person present there. It was further
submitted that *gas cylinder, drum, aluminium tasla, one gas
chulha with apparatus* by which wine use to be prepared and
two big drum country made wine was alleged to be recovered
but it has been also stated in the FIR that the alleged two drum
wine was destroyed on the spot by the informant police.



Learned counsel for the petitioner submits that petitioner has clean antecedent, charge sheet has already been filed in this case and he is in custody since 09.11.2021.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances that the petitioner is in custody since 09.11.2021, charge sheet has already been filed and having clean antecedent, let the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge-1st, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 491 of 2021, subject to the conditions as laid down under Section 437(2) of the Cr.P.C.

(Dr. Anshuman, J)

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