

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39027 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- GUTHANI District- Siwan

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BRAJESH YADAV Son of Shri Ramashanker Yadav Resident of Village-
Pharid (Kharid), P.S.- Sikandarpur, District- Balia (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, about 100.61 litres of
liquor is said to have been recovered from the motorcycle being
driven by the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his person
or his motorcycle. He has been falsely implicated in the case.
He is in custody since 28.3.2021 and has no criminal
antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for



the State who submits that the petitioner is resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the facts of the case, specially the petitioner not having any criminal antecedent and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Guthani P.S. Case no. 72 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge – cum – Special Judge, Excise, Siwan on the following conditions:-

- (i) One of the bailors of the petitioner shall be a close relative of the petitioner.
- (ii) The other bailor of the petitioner shall be a resident of a place within the jurisdiction of the learned trial court.

(Partha Sarthy, J)

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