

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46822 of 2021**

Arising Out of PS. Case No.-262 Year-2019 Thana- NAANPUR District- Sitamarhi

SURESH YADAV S/O SINGHESHA R YADAV R/o village- Mahisautha,
P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 28-02-2022 Heard the learned counsel for the petitioner and
Ms. Renu Kumari, the learned APP for the State.

The petitioner seeks regular bail in connection with
Nanpur PS case no. 262 of 2019 instituted for the offences
punishable under Sections 30(a), 38 of Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 103.25
liters of illicit liquor from the house of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and is
languishing in custody since 24.06.2021. The learned counsel for
the petitioner has further submitted that the premises in question,
from where the illicit liquor has been recovered, is in joint



possession of the petitioner and his son, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.05.2020, passed in Cr. Misc. no. 16395 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the son of the petitioner has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 24.06.2021, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Nanpur PS case no. 262 of 2019.

(Mohit Kumar Shah, J)

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