

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37399 of 2022

Arising Out of PS. Case No.-249 Year-2018 Thana- AKBARPUR District- Nawada

HARKHU YADAV @ YOGENDRA YADAV Son of Late Rohan Yadav
Resident of village- Mastanganj, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-08-2022 Heard the parties.

The petitioner renews his prayer for regular bail in connection with Akbarpur PS Case No. 249 / 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 inasmuch as earlier the bail application of the petitioner was dismissed as withdrawn *vide* Cr. Misc. No. 50969 of 2021 by this Court granting liberty to the petitioner to renew his prayer for bail after three months.

As per the prosecution case the Police having received an information that the petitioner along with other accused persons was selling illicit liquor near the canal at Village - Mastanganj, proceeded towards the place of occurrence and upon the seeing the Police party the accused persons succeeded in fleeing away. The Police has recovered 100 liters of illicit liquor near the bank of the canal.



Learned counsel for the petitioner submits that the petitioner is in custody since 29-04-2021 and no illicit liquor has been recovered from his conscious possession and / or the premises belonging to him. He further submits that since the date of last rejection of the prayer for bail by this court the trial has not proceeded further and even charges have not been framed against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is in custody since 29-04-2021, this is second attempt for bail on behalf of the petitioner, no illicit liquor has been recovered from conscious possession of the petitioner, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge 2nd-cum-Special Judge, Nawada in connection with Akbarpur PS Case No. 249 / 2018.

(Anil Kumar Sinha, J)

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