

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42138 of 2022

Arising Out of PS. Case No.-657 Year-2021 Thana- BRAHMPUR District- Buxar

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Brijanandan Yadav @ Brijanand Yadav, S/o Late Shiv Lagan Yadav R/o
village- Chhatnawar, P.S.- Brahmpur (Krishna Brahm), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Brahmpur (Krishna Brahm) P.S. Case No. 657 of 2021, lodged
under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

As per prosecution case, the total recovery of 450
liters of *desi* wine is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the said recovery has not been made from the
possession of petitioner, rather it was made from the possession
of different person namely Timil Yadav. He further submits that

petitioner is in custody since 13.06.2022 and he is a man of clean antecedent. He also submits that other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 16.09.2022, 23.09.2022 & 28.09.2022 passed in Cr. Misc. Nos. 38775 of 2022, 41094 of 2022 & 41951 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Buxar in connection with Brahmpur (Krishna Brahm) P.S. Case No. 657 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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