

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43784 of 2022

Arising Out of PS. Case No.-123 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Paplesh Yadav @ Paplesh Kumar, S/O Maheshwar Yadav, Resident of village-
Dumrail, Ward No- 28, P.S.- Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Vijaya Laxmi Srivastwa, Advocate
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Special Case No. 197 of 2022 arising out of
Excise Prohibition P.S. Case No. 123 of 2022 registered for the
alleged offences under Section 30 (a) of the Bihar Prohibition
and Excise Act.

Allegedly, 152.625 litres of India made foreign liquor
was recovered from the backyard of the house of the petitioner
and the petitioner was apprehended after chase.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The petitioner has no concern with the recovered liquor. The prosecution report has been submitted in this case and the petitioner is in custody since 08.06.2022. The petitioner is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the submission of prosecution report and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned In-charge Special Judge, Excise, Saharsa, in connection with Excise and Prohibition P.S. Case No. 123 of 2022 (Special Case No. 197 of 2022), subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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