

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63506 of 2021**

Arising Out of PS. Case No.-137 Year-2020 Thana- JADOPUR District- Gopalganj

Raju Bin Son Of Surendra Bin Resident Of Village- Patahara, P.S.- Yadopur,
District- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-02-2022 The case has been taken up out of turn on mentioning of the learned counsel for the petitioner on the ground that the father of the petitioner died on 29.01.2022 for which a supplementary affidavit has been filed on 01.02.2022. Presently the supplementary affidavit is not part of the record, but the Court believes.

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Yadopur P. S. Case No.137 of 2020, instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The learned counsel for the petitioner submits that the petitioner is in custody since 19.09.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.



Allegation is of recovery of 171 litre of liquor besides the river Gandak and one Surendra Kumar Kushwaha was arrested while five accused persons fled seeing the police.

The learned counsel for the petitioner submits that petitioner was not arrested from the place of occurrence. His name transpired based on the identification of the petitioner by Chaukidar. It is further submitted that petitioner and the Chaukidar are on inimical terms.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-Special Judge Excise Act, Gopalganj in connection with Yadopur P. S. Case No.137 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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