

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53492 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- PARBATTI District- Khagaria

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Fantus Yadav @ Fatush Yadav @ Futush Yadav S/o Indradev Yadav R/o
village- Arariya, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 29 of 2021 lodged under Section 30(a) of
the Bihar Prohibition and Excise Act.

As per the prosecution case, the total recovery of 180
litres and 126 litres of foreign made liquor have alleged to be
made from two different places.

The petitioner related to recovery of 180 litres,
learned counsel for the petitioner submits that the said recovery
has taken place at the *basa* of the petitioner which is a joint
family property. Learned counsel for the petitioner submits that

it has not recovered from the conscious position of the petitioner. He further submits that *basa* is such a place where common people used to go there. Learned counsel for the petitioner submits that he is in custody since 03.08.2022, charge sheet has already been filed in this case and there is one case pending against him in which he is on bail and this case was not of excise matter.

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 Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 29 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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