

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67390 of 2021**

Arising Out of PS. Case No.-13 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Shambhu Yadav Son of Late Dhuri Yadav Resident of Village- Banhaura
Maruaha, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-02-2022 Heard learned counsel for the petitioner and Mr. Suresh Prasad Singh, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Excise Case No. 13 of 2020 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.09.2021 and one case came to be instituted after the institution of the present case i.e. the petitioner was a person with clean antecedent prior to institution of the present case, prosecution report has submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 114.780 liters foreign liquor from a



hut alleged to have belonged to the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot nor the hut from where the liquor was recovered belongs to him and his name came based on wrong information provided by the villagers that the hut belongs to the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 14.09.2021, prosecution report has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 2,000/- (Rupees Two Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Excise Case No. 13 of 2020.

(Satyavrat Verma, J)

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