

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56238 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- GAURICHAK District- Patna

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Bablu Kumar Yadav, S/O Mundev Yadav, Resident of Village- Kauahitola,
Brhara, P.S.- Rajnager, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Special Case No. 245 of 2022 arising out of
Gaurichak P.S. Case No. 177 of 2022 registered for the alleged
offences under Sections 30 (a)(b)(c)(d), 32(1)(2)(3), 33, 34(b)
(iv), 36, 42(1)(2), 47 and 56 of the Bihar Prohibition and Excise
Amendment Act, 2018.

As per prosecution case, on the basis of confessional
statement of petitioner, a raid was conducted at a godown and
from the said godown total 53.625 litres of India made foreign
liquor was recovered. From the same godown 63 litres of illicit



liquor apart from a number of empty bottles, wrappers, seals etc. were also recovered.

The 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 either with the place from where the recovery has been made or the recovered articles. The said godown belongs to co-accused Pankaj Kumar. The petitioner is in custody since 21.03.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having one criminal antecedent.

Having regard to the submissions made hereinabove and considering the period of custody of the petitioner as well as submission of charge-sheet against him, the petitioner above named 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 Special Judge, Excise, Patna City in connection with Special Case No. 245 of 2022 arising out of Gaurichak P.S. Case No. 177 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.

(Arun Kumar Jha, J)

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