

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19581 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- CHANDI District- Bhojpur

MAHENDRA YADAV, Male, age about 35 years, Son of Godhan Yadav
Resident of village-Khangaon, P.S.-Chandi, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chandi P.S. Case No. 31 of 2023 dated 04.02.2023 registered
for the offence(s) punishable under Section(s) 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 60 litres of country made liquor and the same is
stated to have been recovered from two sacks kept on a
motorcycle but the petitioner had no concern with the said
motorcycle and at the time of recovery, he was passing nearby
the place of recovery and he was made accused merely on
suspicion and he has fair and clean antecedent and has been



languishing in jail since 05.02.2023 and against him, the investigation has been completed. Further submission is that the provision of Section 100(6) of Cr.P.C. was not followed by the police while preparing the seizure list.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly fair and clean antecedent of the petitioner and completion of the investigation against him, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Chandi P.S. Case No. 31 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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