

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28082 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- RAGHUNATHPUR District- Siwan

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Umesh Yadav Late Kailash Yadav Resident Of Village- Raghunathpur Dakhin
Tola P S Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Siwan
Excise P.S. Case No. 67 of 2023 dated 20.01.2023 registered for
the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of 90
litres of illicit country-made liquor and as per seizure list the
said wine is stated to have been recovered from a bush, though
the petitioner is alleged to have been arrested at the spot of
recovery but the alleged wine was not recovered from his
physical or constructive possession, in actual the petitioner was
passing near the place of recovery at the time of recovery and he

has fair and clean antecedent and has been languishing in jail since 21.01.2023 and against him the investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Siwan Excise P.S. Case No. 67 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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