

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65114 of 2023

Arising Out of PS. Case No.-316 Year-2023 Thana- WAJIRGANJ District- Gaya

1. UPENDRA YADAV Son of Lalu Yadav R/o vill - Bagai, P.s. - Fatehpur, Distt. - Gaya
2. Pradeep Yadav @ Pradeep Kumar Son of Bhuneshwar Yadav @ Mukesh Yadav R/o vill - Bagai, P.s. - Fatehpur, Distt. - Gaya
3. Rajesh Kumar Son of Gaurishankar Prasad R/o vill - Gamhari, P.s. - Fatehpur, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi
For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 08-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend arrest in connection with
Wazirganj P. S. Case No. 316 of 2023, dated 28.05.2023, under
Section 30(a)/45 of Bihar Prohibition & Excise Act.

3. The penal provision under the said Act stipulates
illegal possession of illicit liquor and recovery thereof. With the
recovery and seizure of contraband articles, major part of
investigation becomes over. It is left only for scientific
examination of the seized material and to ascertain from whose
possession, the contraband articles were seized.



4. For the reasons stated above, the instant application is allowed.

5. The petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each, one of whom must be a local surety with landed property, to the satisfaction of the Ld. Learned Exclusive Special Excise Court No. 1, Gaya, in connection with Wazirganj P. S. Case No. 316 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. with further condition that if on bail they will meet the investigating officer for interrogation once in a week until further order.

7. Failure on the part of the petitioner to comply with any of the above directions will entail the learned court below to cancel the bail without any further order.

(Bibek Chaudhuri, J)

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