

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61457 of 2022

Arising Out of PS. Case No.-604 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Satyendra Yadav (Male), aged about 32 years, S/o Late Harichand Yadav @
Harichandra Yadav @ Harikachand Yadav R/o Village- Khushdihara, Ward
no. 08, P.S.- Magadh Medical, Distt- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No- 2, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 This matter has been taken up today for consideration through
video conferencing.

Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Excise P.S. Case
No. 604 of 2022 registered for the offence punishable under Section
30(a)/56(b) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

There is recovery of 90 (ninety) litres of liquor from the
vehicle, wherein the petitioner was also travelling.

The learned counsel for the petitioner submits that recovery is
not from his conscious possession. He is not the owner of the vehicle
in question. He has become a victim of the circumstances. Having no
antecedents, he is in custody since 25.08.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes
of grant of bail, is inclined to accept the submissions advanced by the



petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. 3, Gaya, in connection with Excise P.S. Case No. 604 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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