

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74732 of 2023

Arising Out of PS. Case No.-393 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Nanhak Yadav @ Amit Kumar Kameshwar Yadav Resident Of Village-
Khajuata, P.S.-UDAWANTNAGAR, Dist.-BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya, Advocate Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Udwantnagar P.S. Case No.393/2023 lodged on 14.09.2023
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the prosecution case, total recovery of 60
litres of *desi mahua* wine is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The alleged
recovery has not been made from the possession of the
petitioner, rather from the seizure list, it appears that the alleged



recovery has been made from a canal which is an open public place. The petitioner is in custody since 20.09.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Bhojpur at Ara, in connection with Udawantnagar P.S. Case No. 393/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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