

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.108 of 2023

Arising Out of PS. Case No.-30 Year-2010 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

SHYAMDEO YADAV Son of Late Munshi Yadav Resident of Village -
Nadauna, P.S.- Bhagwanganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioner seeks regular bail in connection with Excise Case No.30 of 2010 registered for the offence punishable under Section 47(a)(f) of Excise Act.

As per the prosecution, the police personnel on secret information raided the alleged place and recovered 30 litres of wine and an iron drum containing 200 kg of Jawa Mahua mixture which was destroyed on spot.

The main submissions advanced by the learned



counsel Mr. Ajay Kumar Sinha for the petitioner are that the petitioner earlier preferred Cr. Misc. No.27628 of 2013 for the relief of Anticipatory Bail which was allowed by this Court on 12.11.2013 but due to non-availability of the said order of Anticipatory Bail the petitioner could not surrender before the trial Court during the prescribed period of time as directed by this Court and finally the petitioner surrendered before the Court below on 15.11.2022 and thereafter charges have been framed upon him and in the present time he is facing trial and the instant matter relates to recovery of 30 litres of *Mahua* wine and petitioner has fair and clean antecedent.

Learned APP Mr. Akbar Ali appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, 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 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Excise Case No.30 of 2010.

(Shailendra Singh, J)

sangam/-

U		T	
---	--	---	--

