

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80989 of 2024

Arising Out of PS. Case No.-39 Year-2009 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Lakhandev Yadav @ Lakhandev Singh S/o Late Mahavir Singh R/o vill -
Asni, P.S. - Udawantnagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Excise PS Case No.39 of 2009 dated 24.07.2024, instituted
under Section 47(a) & (f) of the Bihar Prohibition and Excise
Act.

3. The allegation is of recovery of 2500 Kg Mahua
Jawa and 35 litres illicit wine from the brewery of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner further submits that
brewery does not belong to the petitioner. The recovery was



made from a public place which is accessible to all. It is next submitted that the petitioner has no concern with the alleged recovery. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.II, Bhojpur at Ara in Excise PS Case No.39 of 2009, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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