

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87355 of 2024

Arising Out of PS. Case No.-603 Year-2020 Thana- FATUA District- Patna

Daharu Gpoe @ Daharu Yadav @ Kamlesh Singh Son of Brind Singh @ Bind
Singh R/O-Village Mominpur,P.S, Fathua, District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari (APP)

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner makes a prayer for bail in connection
with Fatuha P.S. Case No.603 of 2020 for offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From the perusal of the First Information Report as
also the seizure list, it would appear that a total of 83 litres of
country-made Mahua liquor was recovered from the hotel of one
Gopji.

4. Learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner and there is no independent witness to the search and
seizure. Learned counsel for the petitioner also submits that the
name of the petitioner has transpired upon the disclosure made
by the apprehended co-accused persons, namely Vivek Kumar
and Sachidanand Kumar.

5. Learned APP for the State has opposed the



application on the ground that the petitioner is an accused in two other cases of similar nature. Learned counsel for the petitioner however, submits that he is on bail in both the cases and that he is in custody in the present case since 14.11.2024.

6. Considering the period of custody and that charges have already been framed, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge Excise City, Patna, in connection with Fatuha P.S. Case No.603 of 2020, subject to the following conditions:

- (i) the petitioner shall co-operate in the investigation/trial.
- (ii) the learned Court would, however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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