

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32353 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- ALOULI District- Khagaria

Deepak Kumar @ Deepak Kumar Yadav S/o Mahesh Yadav, R/o Vill.-
Hathwan, Musahri, P.S.- Alauli, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-06-2018 Heard Sri Ranjeet Kumar Singh, learned counsel for
the petitioner and Sri Sanjay Kumar Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Alauli
P.S. Case No.126 of 2018, G.R. No.1071 of 2018 registered for
the offence under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016, has prayed for grant of bail, in the event of
arrest or surrender.

By way of referring to the statement made in
paragraph-3 of the petition, it has been argued by learned
counsel for the petitioner that the petitioner is having clean
antecedent. It has also been argued by learned counsel for the
petitioner that nothing was recovered either from the conscious
possession of the petitioner or from the premises/ land of the



petitioner, rather in the case, recovery of about 15 liters of Indian Make Foreign liquor was shown from a maize field of one Krish Yadav. However, the owner of the land in question has not been arrayed as accused and the petitioner was made accused as if the petitioner was shown to be fleeing away from the place of occurrence.

Considering the clean antecedent and the fact that nothing was recovered either from the conscious possession of the petitioner or from his land, there is no reason to refuse the prayer for grant of anticipatory bail to the petitioner. Accordingly, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Deepak Kumar @ Deepak Kumar Yadav be 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 3rd Addl. Sessions Judge-cum-Special Judge, Excise, Khagaria in connection with Alauli P.S. Case No.126 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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