

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12310 of 2018

Arising Out of PS.Case No. -87 Year- 2017 Thana -PAUTHU District- AURANGABAD

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Vinod Yadav S/o Siv Nandan Yadav, R/o Village- Bhartipur , P.S.- Pauthu,
Distt.- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection with Pauthu PS case no. 87 of 2017 registered for the offences punishable under Sections 30(a) , 38/47 of the Bihar Prohibition and Excise Act and section 414 of the Indian Penal Code.

The allegation is regarding recovery of 1.6 liters of illicit liquor and one motorcycle from the house of co-accused person, namely, pappu Kumar who is said to have disclosed that he had purchased the stolen motorcycle from the petitioner and one another person.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious



possession of the petitioner nor he has anything to do with the said motorcycle.

Considering the nature of accusation levelled against the petitioner herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge –VII cum Special Judge, (Excise), Aurangabad in connection with Pauthu PS case no. 87 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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