

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61720 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- BAHADURPUR District- Darbhanga

Sunil Yadav , S/o Late Batohi Yadav , Resident of Village - Kherajpur, P.S:
Bahadurpur, District : Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Anjani Kumar Sinha

For the Opposite Party/s : Md. Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-10-2018 Heard Sri Anjani Kumar Sinha , learned counsel for
the petitioner and Mr. Md. Arif, learned Additional Public
Prosecutor.

The sole petitioner, apprehending his arrest in connection with Bahadurpur P.S. Case No. 14 of 2018 (G.O. Case No. 36 of 2018) , registered for the offence under Section 30(a)/ 34/ 36/ 38 and 41 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

At the very outset learned counsel for the petitioner has drawn my attention to the statement made in para - 3 of the petition to show that petitioner is having clean antecedent. He further submits that in this case Police conducted raid in the house of one Mahesh Yadav from where recovery of 90 liters



of Indian make foreign liquor was shown and petitioner has been arrayed as if he along with others after noticing Police fled away . It has been argued that petitioner was not having any connection with the recovered liquor nor it was his premises.

Learned Additional Public Prosecutor has opposed the prayer for grant of anticipatory bail, however , considering the fact that no recovery was made from the premises of the petitioner as well as the fact that petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let petitioner - Sunil Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge cum Special Judge, Excise Act, Darbhanga / concerned court in connection with Bahadurpur P.S. Case No. 14 of 2018 (G.O. Case No. 36 of 2018) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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