

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31688 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- Jadopur District- Gopalganj

Indrajeet Yadav, S/o Late Buni Yadav, Resident of Village- Semrahi, P.S.-
Jadopur, District- Gopalganj, at present village- Barharwa, P.S.- Mallahi,
District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh
For the Opposite Party/s : Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 12-06-2018 Heard Sri Bishwajeet Singh, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Jadopur
P.S. Case No. 24 of 2018 registered for offence under Sections
272, 273 of the Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail in
the event of his arrest or surrender.

Learned counsel for the petitioner submits that
petitioner was having clean antecedent, however; after
institution of the present case, the petitioner has again been
falsely implicated in another case i.e. Jadopur P.S. Case No. 29
of 2018 under the Excise Act. He submits that subsequent case
was instituted on 20-03-2018, whereas, the present case was
lodged on 04-03-2018. He submits that in the case, it was
alleged, as if, from an open field of the petitioner a box
containing 34 liters of Indian make foreign liquor was concealed



and showing recovery of said material, the petitioner was made accused. He further submits that before lodging F.I.R., the informant was knowing well that petitioner was residing in the district of East Champaran, whereas, the present case was instituted in the district of Gopalganj. It has also been argued that petitioner was having clean antecedent and it was out-and-out case of false implication.

Besides hearing, I have also examined materials on record and after going through the same as well as the fact that recovery was shown from an open field, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Indrajeet 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 2nd Addl. Sessions Judge, Gopalganj in connection with Jadopur P.S. Case No. 24 of 2018 (G.R. No. 904 of 2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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