

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3349 of 2019

Arising Out of PS. Case No.-642 Year-2018 Thana- BODHGAYA District- Gaya

Jayram Yadav age 37 years (Male) son of Baldev Yadav@ Baldev Gope,
Resident of Village- Barahagawan, P.S. Mohanpur, Distt. Gaya.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 875 kg mahua is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the petitioner is said to be the owner of the tractor. The said tractor is run as public carrier by the driver of the petitioner. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 875 kg mahua is recovered from the tractor in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Bodhgaya P.S. case No.642 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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