

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12541 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- AKBARPUR District- Nawada

=====

Pintu Kumar Yadav, Son of Baleshwar Prasad Yadav @ Baleshwar Yadav R/o
village- Lhosingna, Losinghani, Lahsinghna, P.S- Akbarpur, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsels for the petitioner and the

State.

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

As per the prosecution case, three persons, while travelling
on a motorcycle, were intercepted, when one person managed to
escaped from the scene, however, two persons were
apprehended. From the apprehended co-accused persons, 20
litres of Indian made foreign liquor were recovered. The
apprehended co-accused persons disclosed the name of the
petitioner as the person who escaped from the scene.

It is submitted by learned counsel for the petitioner that
admittedly, recovery has not been made from the conscious



physical possession of the petitioner and the petitioner was not apprehended from the place of seizure. A statement has been made in paragraph no.3 of the petition that the petitioner has also been made accused in one other case of similar nature.

Considering the fact that the petitioner was not apprehended from the place of seizure and the prosecution report does not suggest that ownership of the alleged motorcycle has been ascertained, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Akbarpur P.S. Case No. 47 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

