

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16141 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- GWALPARA District- Madhepura

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Pramod Yadav @ Pramod Kumar Yadav, Son of Ramchandra Yadav Resident
of Village - Sripur, Ward No.11, P.S. and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 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.

The prosecution case is to the effect that from a pickup
van, 291 litres of Indian Made Foreign liquor were recovered
when three persons were apprehended, who disclosed their
names as Narayan Das, Rahul Kumar and Raman Kumar. The
apprehended co-accused persons also disclosed that they were
trading the illicit liquor from the petitioner and at his behest,
they were transporting the recovered liquor.

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



physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of apprehended co-accused persons.

Considering the fact that prosecution case does not suggest that recovery has been made from the conscious physical possession of the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 Special Judge, Excise Act, Madhepura in connection with Excise Case No. 08 of 2019, arising out of Gwalpara P.S. Case No. 01 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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