

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30704 of 2019**

Arising Out of PS. Case No.-229 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Dhananjay Yadav Son of Late Subhas Yadav Resident of Village - Mishrauli
(Habibnagar), P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 19-07-2019 This is an application for grant of anticipatory bail

in connection with CIII-229 of 2018 disclosing offences under

Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation as per the F.I.R. is that the excise
officials recovered 37 cartoon foreign liquor from the bank of
the river and it is alleged that the petitioner was fleeing away
from the place of occurrence along with other accused persons.

Submission of the learned counsel for the petitioner
is that the prosecution case itself disclosed that nothing has been
recovered from his possession and he has no criminal
antecedent and the other co-accused person having similar
allegation has been granted anticipatory bail vide order dated
25.04.2019 passed in Criminal Miscellaneous No. 27108 of



2019.

Heard learned A.P.P. who opposed the prayer for bail on the ground that the petitioner is named in the F.I.R.,but admitted that, nothing is recovered from the house of the petitioner.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge (Excise) Siwan, in connection with CIII 229 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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