

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47576 of 2019

Arising Out of PS. Case No.-330 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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ANIL YADAV Son of Prasadi Yadav Resident of village- Kharhari, P.S.- Gaya
Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Excise Case No.330 of 2019 registered under Sections
30(a) and (c) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

The accusation is that on receiving secret information
about preparation of the liquor at the bank of river in village-
Kharhari, the informant along with other Excise Officials
reached there, then two persons were seen on fleeing condition
from the bank of the river but, on chase, one person was
apprehended, who disclosed his name as Mahendra Paswan and
he also disclosed the name of the petitioner, who succeeded to



flee away. On search, 12 liters country made liquor, kept in the plastic jerkin, was recovered, whereas two drums Jawa, after digging the soil, were recovered from there.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot rather his name has been disclosed by the apprehended accused. On mere suspicion, the petitioner has falsely been implicated in this case. Except one case, as detailed in paragraph-3 to this application, in which the petitioner is on bail, the petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Incharge Special Judge (Excise Act), Gaya, in connection with Excise Case No.330 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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