

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57239 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- BALIYA District- Begusarai

Makkho Yadav @ Makhra Yadav @ Rambadan Yadav, Son of Late Bashistha
Yadav Resident of Village- Tulsi Tol, P.S. Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Balua P.S. Case No.233 of 2019 for the offence punishable under
Section 120(B)/34 of the Indian Penal Code and Section 30(a)
of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that police on secret information raided
the house of Sanjeet Yadav, Bipin Yadav, Hari Kishore Yadav
and recovered a total quantity of 161.62 litres, 15 litres and
174.75 litres of illicit liquor from aforesaid premises of
aforesaid persons respectively. It has further been alleged that
when the police reached the house of Hari Kishore Yadav, five



persons had allegedly fled away from the house of Hari Kishore Yadav and his wife has disclosed the name of the petitioner and others.

Learned counsel appearing for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case based upon the information given by the wife of Hari Kishore Yadav from whose paddy house, 174 litres of illicit liquor was recovered. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioner has got no criminal antecedent and no illicit liquor has been recovered from the premises or conscious possession of the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Additional Sessions Judge-II, Begusarai-cum-Special Judge,
Begusarai, subject to the condition as mentioned under Section
438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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