

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61936 of 2019**

Arising Out of PS. Case No.-116 Year-2019 Thana- SALAKHUA District- Saharsa

SUDHIR YADAV Son of Gorelal Yadav Resident of Village- Khoparia, P.S.-  
Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Asha Devi

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

2      27-09-2019      Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with  
Salkhua      P.S.Case      No.116/19      corresponding      to  
Special (Excise) Case No.220 of 2019, registered for offences  
punishable under Sections 272, 273 of the Indian Penal Code  
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016..

Police got information that one Pickup van is parked  
near the house of the Ranjeet Yadav and on that information  
the police raided there and found one pickup Van parked there  
and the driver was talking with a motorcycle Driver, the police  
arrested them and from the pickup van altogether 744 lts. of  
liquor has been recovered and the apprehended persons have  
named the petitioner that he has loaded the liquor in the



pickup van.

Submission of the learned counsel for the petitioner is that except the confessional statement of the co-accused there is nothing against the petitioner and he has no criminal antecedent and another accused persons having similar allegation has been granted privilege of the anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 24.9.2019 passed in Cr. Misc. No.59745 of 2019.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and as per the FIR it appears that there is nothing against him except the confessional statement of the co-accused, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Motish Kuma Singh Special Judge, Excise Act, Saharsa in connection with Salkhua P.S.Case No.116 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.



With the above direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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