

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75159 of 2018

Arising Out of PS. Case No.-562 Year-2017 Thana- PATNA GRP CASE District- Patna

Subodh Yadav, Son of Indradeo Yadav, Resident of Village- Saidabad, P.S.-
Raghopur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 16.5 liters foreign liquor were recovered from co-accused Manish Kumar from Patna Railway Junction, who disclosed the name of the petitioner, Subodh Yadav and also alleged that the petitioner gave the bag containing liquor at Delhi Railway Station.

It is submitted by learned counsel for the petitioner that admittedly there is no recovery from the petitioner. A statement has been made in paragraph no.3 of the petition that the



petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that specific accusation is against the petitioner of transporting of illicit liquor.

Considering the fact that there is no recovery made from the possession of the petitioner, coupled with 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Special Judge Excise, Patna**, in connection with **Special Case No.7707 of 2017** arising out of **Patna Junction P.S. Case No. 562 of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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