

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69654 of 2019**

Arising Out of PS. Case No.-185 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Ramesh Kumar Yadav @ Ramesh Yadav aged about 32 years, Gender -Male,
Son of Swami Nath Yadav, Resident of Village- Lakhraw Ward No.10-02,
Police Station- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with C-
III Case No. 185 of 2019 registered for the offence under
Section 30(a) of the Bihar Prohibition & Excise (Amendment)
Act, 2018.

The allegation against the petitioner as per the
prosecution report lodged by the Excise Inspector is that on the
date of occurrence Excise Officials got secret information that
petitioner along with others were indulged in transportation of



illegal liquor and on the basis of that information Police Force intercepted the vehicle of the co-accused persons and found that they were carrying total quantity of 24 liters 375 ml of illicit liquor on the said motorcycle. The Excise Officials arrested two accused persons riding on the said vehicle and the name of the petitioner has been disclosed by the aforesaid arrested persons. They further disclosed that the illicit liquor was meant for delivery to the petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of statement made by the arrested accused persons. Learned counsel for the petitioner referring to paragraph no. 6 to the petition submits that the motorcycle from where illicit liquor has been recovered does not belong to the petitioner. Learned counsel submits that from perusal of the prosecution report it would be evident that illicit liquor has not been recovered from the conscious possession of the petitioner nor the vehicle belongs to the petitioner and the petitioner has got no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner nor



the vehicle belongs to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner Ramesh Kumar Yadav @ Ramesh Yadav in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Siwan in connection with C-III Case No. 185 of 2019 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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