

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81655 of 2019

Arising Out of PS. Case No.-247 Year-2019 Thana- NARPATGANJ District- Araria

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AMLESH YADAV @ AMLESH KUMAR YADAV Son of Nageshwar Yadav
@ Nago Yadav Resident of Village - Madhura North, P.S.- Fulkaha, Distt.-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Special Case No. 557 of 2019 arising out of Narpatganj
P.S. Case No. 247 of 2019, registered for the offence punishable
under section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per allegation made in the F.I.R., 30 litres of nepali
liquor is said to have been recovered from Scorpio. It is further
stated that on confessional statement of the driver of the said
vehicle, further 187.80 litres of nepali liquor was recovered
from the bamboo clump (bansbari).



It is submitted by learned counsel for the petitioner that petitioner was not arrested at the spot and the allegation against the petitioner of being involved in the trade of illicit liquor, is false and concocted and not supported by any material.

In view of the facts and circumstances of the case especially in view of the fact that the petitioner was not arrested at the spot nor any recovery is said to have taken place from his conscious possession, this Court is inclined to grant bail to the petitioner and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge -cum-Special Judge, Araria in connection with Spl. Case No. 557 of 2019 arising out of Narpatganj P.S. Case No. 247 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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