

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82951 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- CHHAURADANO District- East
Champaran

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ARBIND YADAV S/o Chhavi Lal Roy R/o village- Ekdari, P.S.-
Chhauradano, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Chhauradano P.S. Case No. 78 of 2019 for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 100 bottles of
Nepali country made liquor from possession of the accused
persons and when they were arrested by the police, they had
disclosed the name of the petitioner as one of their accomplices.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case and, in fact, neither any recovery has been made



from the petitioner nor from his house, hence the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted in the present case.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge under Excise Act, East Champaran, Motihari in connection with Chhauradano P.S. Case No. 78 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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