

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.967 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- RAJAOLI District- Nawada

CHHOTU YADAV @ CHHOTU KUMAR YADAV S/o Uday Yadav @ Uday
R/o Village- Mohakama, Tola Nagar Batri, P.S.- Rajouli, Distt- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-02-2020 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 Rajouli P.S. Case No.112 of 2019 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., a raid was conducted on receipt of secret information and it is stated that 100 litres of Mahua liquor was recovered from a bamboo orchard.

It is submitted by learned counsel for the petitioner that the allegations as levelled against the petitioner in the F.I.R. are false. Neither any recovery has taken place, the incriminating article does not belong to the petitioner and the



petitioner has no criminal antecedent. It is further submitted that two other co-accused have been enlarged on anticipatory bail vide order dated 04.07.2019 (Annexure-2) passed in Cr. Misc. No. 41320 of 2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, including grant of bail to the co-accused, this Court is inclined to enlarge the petitioner on bail. The petitioner 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 in connection with Rajouli P.S. Case No.112 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Nawada, subject to the condition as laid down under section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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