

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.949 of 2020

Arising Out of PS. Case No.-90 Year-2019 Thana- NAUHATTA District- Rohtas

Upendra Yadav Son of Roopdeo Yadav Resident of Village - Sundarganj,
P.O.- Baknaura, P.S.- Rohtas, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Nauhatta P.S. Case no. 90 of 2019 registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, two jute bags were seen having fallen down from a motorcycle and on being searched, 15 litres and 25 litres of Mahua liquor i.e total of 40 litres is said to have been recovered from the said two bags. The FIR was registered against the petitioner being the owner of the said motorcycle.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. It is further



submitted that from the FIR itself it would be evident that no recovery has taken place from the motorcycle and the petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Nauhatta P.S. Case no. 90 of 2019 is directed to 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 Spl. Judge, Excise, Rohtas at Sasaram subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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