

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2091 of 2020**

Arising Out of PS. Case No.-244 Year-2019 Thana- SHAHKUND District- Bhagalpur

Gautam Yadav @ Goutam Yadav Son of Ram Shwarup Yadav Resident of
Village- Purani Kherahi, P.S.- Sahkund, Distt- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

**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 Sahkund P.S. Case No.244 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., on suspicion, the bag of co-accused was searched and 4.875 litres of IMFL is said to have been recovered from the bag of one Chandra Mohan Patel.

It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in the confessional statement of the aforesaid co-accused made before the police. No recovery has taken place from the person or possession of



the petitioner. 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 in the facts and circumstances of the case as stated above, 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 Sahkund P.S. Case No.244 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 Special Judge, Excise Act, Bhagalpur, subject to the condition as laid down under section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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