

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11295 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- SIMRI District- Darbhanga

MUNNA YADAV Son of Late Ram Prakash Yadav Resident of Village and
P.O.- Banauli, P.S.- Simiri, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application for grant of anticipatory bail arises
out of Simri Police Station Case No. 130 of 2019, disclosing
offence under Sections 30 (a)/38(i)/41 of the Bihar Prohibition
and Excise Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the police, in course of petrolling,
intercepted one Tiago vehicle and from the said vehicle,
123.480 litres of illicit liquor was recovered, The driver of the
said vehicle was arrested by the police, who disclosed that the
liquor was to be delivered to the mobile holder, bearing mobile



no. 9060670256, i.e. the petitioner.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to oblique motive. He further submits that the petitioner is not the owner of the vehicle in question and he has merely been dragged in this case on the basis of mobile number provided by the driver of the vehicle in question. He further submits that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is not the owner of the vehicle in question and the illicit liquor has not been recovered from the conscious possession of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Darbhanga, in



connection with Simri Police Station Case No. 130 of 2019,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

It is made clear that at the time of furnishing bail
bonds, all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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