

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13286 of 2020

Arising Out of PS. Case No.-149 Year-2019 Thana- DURAULI District- Siwan

Veyas Yadav S/o Late Sorakh Yadav Resident of Village- Ram Nagar,
Kakariyadih, P.S.- Durauli, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore (App100)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 05-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Darauli P.S.

Case No. 149 of 2019 registered for the offence under Sections 272, 273, 379 of the Indian Penal Code and Sections 30(a)/38(i) of Bihar Prohibition and Excise Act, 2016.

37.980 liters of foreign liquor is said to have recovered from a motorcycle.

It is submitted on behalf of petitioner that petitioner has falsely been implicated and nothing has been recovered from his conscious possession. It is further submitted that petitioner is neither owner of the motorcycle in question nor he has got any concern with the seized liquor. Mandatory provision of Section 100 Cr.P.C. has not been followed with respect to search and seizure. There is no allegation of tampering with the



evidence against the petitioner.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge, Excise, Siwan in connection with Darauli P.S. Case No. 149 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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