

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No. 16463 of 2020**

Arising Out of PS. Case No.-53 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

RANJEET YADAV Son of Jwala Yadav @ Jawala Chaudhary Resident of
Village - Jiyay, P.S.- Siwan Muffasil, Dist.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Siwan Mufassil P.S. Case No. 53 of 2020 registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no recovery from the conscious possession of the petitioner and he has no concern with the scooty from which recovery has been made and he has no criminal antecedent.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein, this Court has noticed from the First Information Report itself that the police got information that a white colour scooty is coming from village Baghra carrying illicit liquor but the information did not disclose the name of the petitioner and further according to the FIR when the police reached in village Jiyay, the informant found a scooty standing in the roadside on which a plastic bag was kept but at this stage the informant does not say that he saw any person either driving the scooty or with the scooty but later on the name of the petitioner has been brought in this case and a close perusal of the FIR itself shows that the last line has been incorporated at a belated stage, the submission being that the petitioner has no concern with the said scooty but because of the local politics and his active participation in the local area his name has been brought in this case even though he has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Siwan Mufassil P.S. Case No. 53 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge II cum Special Judge Excise,
Siwan, subject to the conditions as laid down under Section 438
(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself
available for interrogation by a police officer as and when
required;

(ii) a condition that the person shall not, directly or
indirectly, make any inducement, threat or promise to any
person acquainted with the facts of the case so as to dissuade
him from disclosing such facts to the Court or to any police
officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

