

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14033 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- NAWANAGAR District- Buxar

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YOGENDRA SINGH @ YOGI S/o Baban Singh R/o Village- Chanwath,
P.S.- Nawanagar, District- Buxar.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Dr. Kamal Deo Sharma, Advocate.
For the State : Mr. Damodar Prasad Tiwary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Nawanagar P.S. Case No.23 of 2020 registered under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018, pending in the court of the Additional Sessions
Judge-II-cum- Special Judge, Excise Act, Buxar.

The accusation is that on receiving the secret
information about selling the liquor by Yogendra Singh alias
Yogi (petitioner) at his house, the informant along with other
police personnel reached near the house of the petitioner and,
thereafter, entered in his house, where one lady was seen with a
sack, who was caught hold and she disclosed her name as



Suganti Devi, wife of Yogendra Singh alias Yogi (petitioner).
On search of the sack, 96 bottles, each containing 180 ml. Indian Made Foreign Liquor, were recovered, whereas from the house, 7 cartoons, each containing 48 bottles of 180 ml. Indian Made Foreign Liquor, were recovered.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the wife of the petitioner was apprehended on the spot. At that time of search, the petitioner had gone outside the State to earn his livelihood but being the male member of the house, he has also been implicated in this case. The petitioner has no criminal antecedent. Further submission is that Shuganti Devi alias Suganti Devi, the wife of the petitioner, who was apprehended on the spot, has already been granted bail by a Coordinate Bench of this Court vide order dated 13.05.2020 passed in Criminal Misc. No.18199 of 2020.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks



from today and pray for regular bail, which shall be considered
by the trial court in accordance with law without being
prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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