

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16181 of 2020**

Arising Out of PS. Case No.-214 Year-2019 Thana- HASANPUR District- Samastipur

MURARI YADAV Son of Wakil Yadav @ Akhileshwar Yadav Resident of
Village - Paroria, P.s.- Hasanpur, Dist.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vasudeo Ram, 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 Hasanpur P.S. Case No. 214 of 2019
registered for the offence punishable under Section 30(a) of Bihar
Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case alleging that
the petitioner has been seen fleeing but who has identified the
petitioner has not been disclosed and except secret information
there is no other material to connect the petitioner with the
present Case. The petitioner has clean antecedent. It is further
submitted that the petitioner has no concern with the vehicle
from which the seizure of illicit liquor has been made.



Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein name of this petitioner has been involved in this case showing that he was one of the persons who had fled way on seeing Police party but according to the informant the name of this petitioner has been provided on secret information, there being no other independent source of identification, the petitioner has no concern with the vehicle in question from which the illicit liquor has been seized and further that the petitioner has got clean 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 Hasanpur P.S. Case No. 214 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – II – cum Special Judge (Excise Act), Samastipur, 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'.

