

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18389 of 2020

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

Sukhlal Yadav Son of Late Shivmurat Yadav Resident of Village - Chhaki
(Hanuman Dera), P.S. Brahmpur (Chakki O.P.), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Brahmpur (Chakki O.P.) P.S. Case no. 23 of 2020 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid being conducted a total quantity of 1136.16 litres of liquor was recovered from the agricultural field belonging to the petitioner.

It is submitted by learned counsel for the petitioner that he has no criminal antecedent, he has no concern with the seized liquor and the alleged place of recovery being an open agricultural field cannot be said to be under the exclusive



control of the petitioner.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Brahmpur (Chakki O.P.) P.S. Case no. 23 of 2020, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II-cum-Special Judge (Excise), Buxar, subject to the conditions as laid down in section 438(2) Cr.P.C.

(Partha Sarthy, J)

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