

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27317 of 2020

Arising Out of PS. Case No.-238 Year-2018 Thana- BALIYA District- Begusarai

Mohan Yadav Son Of Baleshwar Yadav Resident Of Village - Fatehpur, P.S.-
Balua, District - Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Braj Bhushan Poddar, Advocate
For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-11-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor representing the State

through video conferencing.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 420 and other ancillary
sections of the Indian Penal Code as well as section 30, 32 and
41 of the Bihar Prohibition and Excise Act.

Police raided a place and found that total 4418 liters
of foreign liquor was being unloaded from a container while
eight persons including the petitioner, all named in the FIR,
managed to escape from the place of occurrence.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. No incriminating material has been recovered from the



conscious possession of the petitioner. He is neither owner of the vehicle nor the driver of the same and he is no way concerned with the illicit liquor. As per para 3 of the bail petition, petitioner has got no criminal antecedent.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above 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 Additional Sessions Judge II cum Special Judge, Excise Act Begusarai in Balia Police Station Case No. 238 of 2018, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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