

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24861 of 2020**

Arising Out of PS. Case No.-35 Year-2020 Thana- PARASBIGHA District- Jehanabad

RAJESH YADAV S/o Devnandan Yadav @ Digree Yadav Resident of  
Village-Mustichak, P.S.-Parasbigha, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      06-10-2020                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor representing the State, through  
Video Conferencing.

The petitioner apprehends his arrest in connection  
with Parasbigha Police Station Case No. 35 of 2020, registered  
for the offence punishable under Section 30 (a) of the Bihar  
Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First  
Information Report, is that the police, on the basis of secret  
information that the petitioner, along with other co-accused  
persons, were involved in the sale of illicit country-made liquor,  
proceeded towards the place of occurrence and on seeing the  
police party, the accused persons fled away and the police  
recovered 150 litres of illicit country-made Mahua liquor from



the bank of River Dardha.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case and he has also got no criminal antecedent. He further submits that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and on the contrary, the same has been recovered from the bank of River Dardha. He further submits that from perusal of the First Information Report and the seizure list, no *prima facie* case is made out under the provisions of the Act against the petitioner.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge, Jehanabad, in connection with Parasbigha Police Station Case No. 35 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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