

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80731 of 2019

Arising Out of PS. Case No.-346 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

RAKESH YADAV Son of Ashok Yadav Resident of Village- Lakhraon, P.S.-
Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 272/273 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Recovery of liquor is alleged from three vehicles.

Submission is that neither liquor nor the vehicle is of the petitioner. Petitioner was not there at the time of recovery of liquor. Petitioner has got no criminal antecedent. Only material is confessional statement of co-accused before the police.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named,



in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Siwan Muffasil P.S. Case No. 346 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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