

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.697 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- BIHRA District- Saharsa

Arvind Yadav, Son of Sri Ram Bahadur Yadav, Resident of Village - Bijalpur,
P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Bihra P.S. Case no. 173 of 2019 corresponding to Special (Excise) Case no. 486 of 2019 registered for the offence(s) under sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on receiving secret information about 1070 litres of illicit liquor being unloaded in the rice mill belonging to one Suresh Yadav, a raid was conducted where it is stated that the accused persons including this petitioner managed to escape.

It is submitted by learned counsel for the petitioner that



the allegations as levelled in the F.I.R. are all false and concocted. Admittedly, no recovery has taken place from either person or possession of the petitioner nor does the allegedly seized articles or the place of occurrence belongs to this petitioner. The petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Bihra P.S. Case no. 173 of 2019 corresponding to Special (Excise) Case no. 486 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise), Saharsa, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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