

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85330 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- AANDAR District- Siwan

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DHANJI YADAV Son of Late Satyanarayan Yadav Resident of Village-
Sultanpur (Dahabari), P.S.- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged that he
received confidential information that Dhanji Yadav (Petitioner)
and Karan Kumar are selling illicit liquor from their Gumti and
on receiving said information he alongwith other police
personnel raided the place and two persons started fleeing of
whom one was apprehended who disclosed his name as Karan
Kumar Sah and from Gumti 7.88 litres of country made and
foreign liquor was recovered. The apprehended accused
confessed the name of petitioner who had fled away.

It has been submitted on behalf of the petitioner



that he has no criminal antecedent and has been implicated in this case on the basis of statement of co-accused. It has been further submitted that alleged Gumti does not belong to petitioner. Neither any illicit liquor has been recovered from his possession nor he has been apprehended on the spot, as such, no offence under the excise act is made out against him.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Andar P.S. Case No. 187 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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