

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12315 of 2021

Arising Out of PS. Case No.-67 Year-2019 Thana- SATHI District- West Champaran

TIRLOKI YADAV Son of Shivnath Yadav Resident of Village- Basantpur,
Sihpur, P.S.- Sathi, Distt- West Champaran ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Gauri Shankar Thakur, Adv.
For the Opposite Party : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-12-2021 Heard Mr. Gauri Shankar Thakur, learned Advocate

for the petitioner and Mr. Anil Prasad, Singh, learned Additional

Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sathi P.S. Case No. 67 of 2019 dated 12.06.2019 instituted for the offences under Sections 413, 414, 467, 468 and 471 of the Indian Penal Code and 30(a), 30(b) and 30(c) of the Bihar Prohibition and Excise Act, 2016.

It has been urged on behalf of the petitioner that he was not been named in the FIR but a few motorcycles were also seized during the raid. One of the seized motorcycles was of the petitioner. When the petitioner made an application for release of his vehicle, his name has transpired in this case. Thirty liters of mahua liquor is said to have been recovered from two motorcycles. Such recovery is not from the motorcycle



belonging to the petitioner.

He has clean record.

On the basis of these facts, it has been urged by Mr. Thakur that the offence under the Excise Act can not at all be said to have been made out against the petitioner.

The petitioner thus is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 67 of 2019 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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