

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30563 of 2021**

Arising Out of PS. Case No.-175 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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AMIT YADAV S/o Rampravesh Yadav @ Rampravesh Chaudhary Resident
of Village- Vishunpurva, P.O.- Sarsar, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 14-06-2021 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition & Excise Act (Amended), 2018.

Allegation is recovery of 312 litres of foreign liquor
from the vacant land situated behind the house of the petitioner.

It has been submitted that recovery was made from open place which is accessible to anyone and petitioner has been falsely implicated in this case. It has further been submitted that petitioner has no criminal antecedent and nothing was recovered from his conscious possession or from his house.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Siwan Excise Case No. C-III-175/2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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