

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2201 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- SABAUR District- Bhagalpur

CHOTU YADAV @ AKASH KUMAR @ CHHOTU KUMAR Son of Mindo
Yadav @ Munindra Yadav Resident of Village - Kasil, P.S. - Goradih, District
- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Sabour P.S. Case No. 141 of 2021 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 65.925 liters wine is recovered from three jute bags.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-



accused, who was arrested on the spot. Except this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bhagalpur, in connection with Sabour P.S. Case No. 141/21, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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