

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7832 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- MANER District- Patna

Binod Yadav @ Akhil Kumar, aged about 40 years (Male), son of Ramjivan Rai, R/o- Kothwa, P.S.- Khagaul, District-Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a), 36, 41 (i) (ii) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 2131.200 litre of liquor from the place of occurrence. Further, two accused persons namely, Chulhar Mal Paswan and Devendra @ Binni were arrested. It is next alleged that apprehended accused disclosed the name of this petitioner along with other accused persons.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession. His name transpired by the apprehended accused, which has no evidentiary value in the eyes of law.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Special Case No.3301 of 2021 arising out of Maner P. S. Case No.351 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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