

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22341 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- NTPC District- Patna

SALLU YADAV Son of Gopal Yadav Resident of Village - Sahanaura, P.s.-
N.T.P.C. (Barh), Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Barh P.S. Case no. 52 of 2020 instituted for the offence
under Sections 30(a) of the Bihar Prohibition of Excise Act.

Prosecution story relates to recovery of 11.50 litres of
IMFL from the house of co-accused.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Petitioner has no concern either with the seized liquor or with the alleged house. The name of the petitioner has been disclosed in this case by the co-accused, namely, Dharmveer Yadav, who was arrested on spot. No incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barh P.S. Case no. 52 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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