

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26268 of 2021

Arising Out of PS. Case No.-923 Year-2020 Thana- TURKAULIYA District- East
Champaran

SANJEEV YADAV S/O HIRAMAN RAI RESIDENT OF VILLAGE
JAISINGHPUR CHIUTAH, P.S-TURKAULIYA, DISTRICT-EAST
CHAMPARAN. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.AAP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-01-2022 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 Turkauliya P.S. Case no. 923 of 2020 instituted for the
offence under Sections 272 and 273 of the Indian Penal Code
and Section 30(a), 41(i) of the Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of 2200 litres
of spirit from a pick-up van of which petitioner was the driver.

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 with the alleged recovery or with the pick-up van. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Nitesh kumar, which has no evidentiary value in the eye of law.

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 Turkauliya P.S. Case no. 923 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 Special Judge, Excise, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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