

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33800 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- FULKAHA District- Araria

ANMOL YADAV @ ANMOL KUMAR YADAV Son of Udranand Yadav
Resident of Village - Manikpur, P.S.- Fulkaha, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 23-02-2022 Heard Mr. Mukesh Kumar Rana, learned counsel

for the petitioner and Mr. Md. Ataur Rahman, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Fulkaha PS Case No. 26/2021 corresponding to Special Case
No. 141/2021 registered for the offence punishable under
Sections 30(a) 41 (1) and 45 of Bihar Prohibition & Excise Act
2016.

Allegedly, the petitioner was apprehended with a
Pulsar Motorcycle having no registration number from where
altogether 81 litres of illicit liquor has been recovered. The
motorcycle is said to be a stolen property.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that at the time of search and seizure the procedure prescribed under Section 100 CrPC has not been followed. Referring to para-7 of the instant petition, learned counsel further submits that the motorcycle in question is not a stolen property rather it belongs to his friend.

Learned counsel next submits that the petitioner is in custody for more than a year i.e., since 08.02.2021, charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody for more than a year i.e., since 08.02.2021, charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ANMOL YADAV @ ANMOL KUMAR YADAV be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, (Excise Act),



Araria in connection with Fulkaha PS Case No. 26/2021
corresponding to Special Case No. 141/2021.

(Anil Kumar Sinha, J)

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