

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29191 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- DHAKA District- East Champaran

Madan Yadav @ Madan Rai Son Of Ram Naresh Yadav R/O Village-
Badharwa, P.S.- Kundwachainpur, 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. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dhaka P.S. Case no. 16 of 2022 instituted for the offence under Sections 30(a), 41 of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, when the informant got secret information of smuggling of wine he reached there and after seeing the police party two persons started fleeing away leaving the motorcycles. It is further alleged that after searching the motorcycles 225 liters illicit country made liquor had been recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no



criminal antecedent. Petitioner has no concern with the alleged recovery of liquor and motorcycles or with the place of occurrence. It is further submitted that the name of the petitioner came into light in this case on confessional statement of apprehended co-accused persons. Neither the petitioner was arrested nor any incriminating article has been recovered from his 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 Dhaka P.S. Case no. 16 of 2022, 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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