

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46207 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- KHODAWANDPUR District- Begusarai

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ARUN YADAV S/o LATE JHARILAL YADAV R/o VILLAGE-BARI JANA,
P.S-KHODAWANDPUR (CHHAURAHI O.P), DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2022 Heard Mr. Bipin Kumar, learned counsel for the

petitioner and Ms. Veena Kumari Jaiswal, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Khodawandpur P.S. Case No. 21/2021 registered for the

offences punishable under Sections 188, 272, 273, 120(B) of the

IPC and Section 30(a) of Bihar Prohibition & Excise Act 2016.

The allegation, as per prosecution case, is that the

police on the basis of secret information proceeded towards the

village, Kumbhi and saw that one car and one motorcycle were

standing there and petitioner along with three other accused

persons, seeing the police party, started fleeing away, however,

three persons succeeded in fleeing away but one co-accused



person was arrested by the police who disclosed his name as Milan Kumar. It is further alleged that the police recovered 422.22 litres of foreign liquor from the Maruti Suzuki Car and from the orchard situated behind the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he has falsely been implicated in this case by the police with oblique motive. Learned counsel further submits that the car or the orchard do not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner. Learned counsel further submits that the petitioner is in custody since 16.06.2021 and the charge-sheet has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record, the fact that petitioner is not the owner of the car or the orchard, petitioner is in custody since 16.06.2021 and the charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, Excise Act, Begusarai in
connection with Khodawandpur P.S. Case No. 21/2021.

(Anil Kumar Sinha, J)

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