

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38668 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- RAGHOPUR District- Supaul

SUSHIL KUMAR YADAV S/o Rambabu Yadav @ Ram Babu Yadav R/o
village- Bisanpur, Ward No. 12, P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 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 Raghopur P.S. Case no. 159 of 2021 instituted for the
offence under Sections 30(a), 38(i), 41(i) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 45 liters illicit
India made foreign liquor from a Renault Tribir Car bearing
Registration No. BR01PL-8874.

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 present case. He
has got no criminal antecedent. Petitioner is the registered



owner of the said vehicle but he has no concern with the alleged recovery of illicit wine. The name of the petitioner has been dragged in this case on confessional statement of co-accused. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

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

The petitioner is directed to deposit a sum of Rs 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of concerned District.

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 Raghapur P.S. Case no. 159 f 2021, 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, Court No. 02, Supaul subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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