

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42958 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- MUFFASIL District- Aurangabad

DEEPAK KUMAR YADAV S/o Shri Krishna Yadav Permanent resident of Village - Pokhar Bigha, P.S.- Pauthu, District - Aurangabad. At present resident of Nandnagar Gwala, Basti Bhuiyadih, P.S.- Sidhgoda, District - Jamshedpur (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Surendra Kumar

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 Muffasil P.S. Case no. 141 of 2021 instituted for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 750 litres of country made liquor from scorio of the petitioner. Driver of the said vehicle was arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery. The name of the petitioner has been disclosed in this case on the basis of ownership of the vehicle. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is owner of the alleged vehicle.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Muffasil P.S. Case no. 141 of 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-I, Excise, Aurangabad 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 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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