

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52800 of 2021

Arising Out of PS. Case No.-259 Year-2021 Thana- BHORE District- Gopalganj

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BULLET YADAV SON OF SRI KISHUN YADAV R/O VILLAGE-
LUHSHI, P.S.- BHORE, DIST.- GOPALGANJ ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Vyas Kumar Mishra, Adv.
For the Opposite Party : Mr. Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 18-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Bhore P.S. Case No. 259 of 2021 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel submits that the name of the petitioner is mentioned by the other co-accused who was caught at the relevant place. So far as the petitioner is concerned, he is not the owner of the car and merely on being named by the other accused he can not be held guilty of the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Having considered the submission, I am satisfied that offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, can not be said to be made out against

the petitioner and accordingly I am inclined to grant benefit of anticipatory bail to the petitioner and in the event of arrest he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Sanjeev Prakash Sharma, J)

Shamshad/-

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