

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52535 of 2022

Arising Out of PS. Case No.-219 Year-2022 Thana- ARA NAWADA District- Bhojpur

Krishna Kumar @ Malu Yadav S/o Jiut Yadav Resident of Pawarganj Near
Dakshin Bihar Gramin Bank, P.S.- Ara Nawada, District- Bhojpur, Arrah

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Ara Nawada P.S. Case no. 219 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 10 liters illicit country made liquor from the joint possession of the house of co-accused persons and this petitioner.

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 illicit country made liquor. It is further submitted that neither the petitioner was apprehended from spot nor any incriminating article has been recovered from his physical and conscious possession.

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

Having heard learned counsel for the parties and considering the fact that the meagre quantity of liquor has been recovered, 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 Ara Nawada P.S. Case No. 219 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 Exclusive Special Judge Excise Court No.1, Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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