

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53402 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- BENIPATTI District- Madhubani

Dharmdeo Yadav @ Bipat Yadav Son of Ram Julum Yadav Resident of
Village- Chaurha, P.S. Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 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 Benipatti P.S. Case no. 157 of 2022 instituted for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 13.5 liters illicit country made liquor from adjacent place which is situated behind the house of the 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 on the basis mere suspicion. He has got no criminal antecedent. Petitioner



has no concern with the alleged recovery of illicit liquor or with the place of occurrence. It is further submitted that neither the petitioner was arrested nor on spot any incriminating article has been recovered from his 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 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 Benipatti P.S. Case no. 157 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 Additional Sessions Judge-II-Cum-Special Judge (Excise Act), Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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