

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53584 of 2022

Arising Out of PS. Case No.-917 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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AWDHESH YADAV S/o Hridyanand Resident of Village- Ekderwa, P.S.-
Gopalganj Town, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a)/41(i)
of the Bihar Prohibition and Excise Act.

12 litres of country made liquor has been recovered
from two motorcycles. The petitioner is said to have fled away
from the place of occurrence after seeing the police. Co-
accused, Raju Kumar Yadav was apprehended at the spot and he
disclosed the name of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no



criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the motorcycles do not belong to the petitioner. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs.10,000/- (rupees ten thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Excise Judge Court No.1, Gopalganj in connection with Gopalganj Town P.S. Case No.917 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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