

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58542 of 2022**

Arising Out of PS. Case No.-206 Year-2022 Thana- NAUTAN District- Siwan

SHEO KUMAR YADAV @ SHIV KUMAR YADAV SON OF HARIDAYA  
YADAV R/O VILLAGE- FULWARIA, P.O.- MAKARIYAR, P.S.- MAIRWA,  
DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      08-12-2022                      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 Nautan P.S. Case no. 206 of 2022 instituted for the offence  
under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 158 litres of  
illicit liquor from a Santro and 18 litres from motorcycle of co-  
accused who has disclosed the name of the petitioner.

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 or with the vehicles in



question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, 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 Nautan P.S. Case no. 206 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 ADJ, Exclusive Special Excise Judge-02, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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