

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66165 of 2021

Arising Out of PS. Case No.-113 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

Arvind Yadav @ Baba Yadav Son Of Chandeshwar Yadav @ Chandra Mohan
Yadav Resident Of Village/Mohalla- Ward No 44, Sahganj Benta, P.S-
Laheriasarai, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Dilip Kumr No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in Laheriasarai
P.S. Case No.113 of 2018, giving rise to G.O. Case No.244 of
2018, registered for the offences punishable under Sections
30(a), 36 and 41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that there is
no recovery from the conscious possession of the petitioner
rather 348.150 litres of foreign liquor has been recovered from a
pick-up van near railway *Gumti*. It is further submitted that the
petitioner is said to have fled away from the place of occurrence
after seeing the police. The petitioner has got no criminal
antecedent as stated in para 3 of the bail application.



Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Considering 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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Darbhanga in connection with Laheriasarai P.S. Case No.113 of 2018, giving rise to G.O. Case No.244 of 2018, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bond.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

(Anjani Kumar Sharan, J.)

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