

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72232 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- BITHAN BAZAR District- Samastipur

SUDDU YADAV SON OF TINA YADAV @ TENA YADAV RESIDENT OF  
VILLAGE SURHA BASANTPUR, P.S. HASANPUR, DISTRICT-  
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh 1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      01-07-2022      Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) and 30(f) of Bihar Prohibition and Excise Act, 2016.

Altogether 487.380 liters of foreign liquor is said to have been recovered from the house of the co-accused Arvind Yadav.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. Petitioner has neither been



apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has been made accused in this case on the basis of disclosure of his name by the apprehended co-accused. It is alleged that petitioner is the member of the said syndicate, who trade the illicit liquor. Petitioner has no concern either with the seized liquor or any trade of liquor. The said place of recovery does not belongs to the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application and the similarly situated co-accused namely Arun Kumar Yadav @ Arun Yadav has been granted anticipatory bail by this Court vide order dated 25.03.2022 passed in Cr. Misc. No.60659 of 2021.

Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bithan P.S. Case No.51 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

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