

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64049 of 2022

Arising Out of PS. Case No.-413 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

Binay Kumar Yadav Son Of Late Bhuar Yadav R/O Village- Masarke Tola,
P.S.- Udawantnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 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 a case punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 110 litres of country made liquor from the bank of river. On the basis of mere suspicion, the name of petitioner came in light.

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 place of occurrence. The name of the petitioner sprang up in this case on



the basis of mere suspicion. 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 Udwantnagar P.S. Case no. 413 of 2019, 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 District Judge II-cum-Special Judge, Excise, Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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