

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63705 of 2022**

Arising Out of PS. Case No.-12 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Baijnath Yadav @ Vaidyanath Yadav S/O Deb Narayan Yadav @ Debu Yadav
R/O Village- Bahorba, Ward No-1, P.S- Kusheshwar Asthan, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Umesh Lal Verma

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**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 connection
with Kusheshwar Asthan P.S. Case no. 12 of 2022 instituted for
the offence under Section 30(a) of the Bihar Prohibition &
Excise Act, 2016.

Prosecution case relates to recovery of total 163.368
litres IMFL from the fodder house of co-accused Bhim Yadav.
One person was apprehend from the spot who disclosed his
name as Bhim yadav. The apprehended person disclosed the
name of petitioner and co-accused person.

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. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious 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 Kusheshwar Asthan P.S. Case no. 12 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-02, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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