

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65360 of 2022

Arising Out of PS. Case No.-407 Year-2022 Thana- NAUTAN District- West Champaran

CHURAMAN YADAV S/O DEONANDAN YADAV Resident of village-
Baiju Bhagat Ke tola P.S.- Nautan, District- West Champarna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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 Nautan P.S. Case no. 407 of 2022 instituted for the offence under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total total 173 liters country made foreign liquor from two different vehicles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that both vehicles in question from where recovery has been made, do not belong to this petitioner. Petitioner has no concern with the alleged recovery of



illicit liquor or with the co-accused persons. The name of the petitioner has been disclosed in this case by apprehended co-accused namely, Vikashh Sah. It is further submitted that neither the petitioner was arrested on spot 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 Nautan P.S. Case no. 407 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 Exclusive Special Judge, Excise, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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