

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65913 of 2022

Arising Out of PS. Case No.-562 Year-2022 Thana- BARACHATTI District- Gaya

Srichand Kumar Yadav @ Srichand Son Of Sri Gobind Yadav R/V- Rohi, P.S-
Barachatty, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Barachatty P.S. Case no. 562 of 2022 instituted for the
offence under Section 30(a), (c)/37 of Bihar Prohibition &
Excise Amendment Act-2018.

Prosecution case relates to recovery of 750 ml India
Made foreign liquor and two vehicles from the place of
occurrence which registration nos. are BRIP-2262 and
WB24AB-4598.

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. The petitioner has
no concern either with the alleged recovery of liquor or with the



vehicles in question which were recovered from the place of occurrence. The name of the petitioner came into light in this case on the basis of confessional statement of co-accused namely, Sumit Kumar who was apprehended on spot. 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 considering the fact that recovery of illicit liquor is meagre in quantity, 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 Barachatty P.S. Case no. 562 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 Court of Exclusive Special Excise Court no-2, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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