

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20884 of 2023**

Arising Out of PS. Case No.-225 Year-2022 Thana- PHULPARAS District- Madhubani

Hem Narayan Yadav son of Late Bindeshwar Yadav Village- Mahathaur  
Khurd Ps- Phulparas Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      24-06-2023                      Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Phulparas Police Station Case No. 225 of 2022, dated 14.05.2022, disclosing offences under Sections 30 (a) of the Prohibition & Excise Act.

The prosecution case, on the basis of the First Information Report, is that 462.6 liters of illicit liquor has been recovered from the house of the petitioner.

Learned Counsel for the petitioner submits that the petitioner is sixty years old and has not committed the offence in the manner alleged. He further submits that the son of the petitioner was involved in the business of liquor and at the time of raid, the police has arrested the son of the petitioner, namely,



Pankaj Kumar Yadav. He next submits that the petitioner has been made accused only because the ownership of the house is in the name of the petitioner and it is a joint family property in which other family members also resides.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner has got no criminal antecedents and his son was arrested from the place of occurrence and the house in question is joint family residency, the petitioner is aged about sixty years, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Phulparas Police Station Case No. 225 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

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