

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33570 of 2023

Arising Out of PS. Case No.-695 Year-2022 Thana- SAUR BAZAR District- Saharsa

SINTU YADAV @ SINTU KUMAR KISCO son of Bucchi Yadav @ Kusum
Lal Yadav R/o- Arraha ward no-3, Arraha Ps- sour Bazar and Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-06-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail in connection with Special Case No. 284 of 2023 arising out of Sour Bazar Police Station Case No. 695 of 2022 dated 23.11.2022, disclosing offences under Sections 30(A)/41 of the Bihar Prohibition and Excise Act, 2022 (hereinafter referred to as 'the Act').

The prosecution case, as per the First Information Report, is that the police intercepted a pick-up van and upon search, recovered 340.41 liters of illicit liquor and arrested one co-accused, namely, Nitish Kumar, who disclosed the name of the petitioner and that the liquor was being carried for the purpose of distribution at different places at the behest of the



petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused person. He further submits that a supplementary affidavit has been filed stating therein that the pick-up van does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession and/or vehicle belonging to the petitioner.

Regards being had to the submission made on behalf of the learned counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the vehicle in question, his name has come on the basis of disclosure made by the arrested co-accused person and no illicit liquor has been recovered from the possession of the petitioner and/or from the vehicle belonging to the petitioner, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 Exclusive Special Judge (Excise),
Saharsa, in connection with Special Case No. 284 of 2023
arising out of Sour Bazar Police Station Case No. 695 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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