

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36794 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- OBRA District- Aurangabad

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Dhirendra Yadav Son of Krishna Yadav Resident of village - Gauri Bigha, P.S.
- Obra, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 read with (Amendment) Act, 2018.

3. As per the prosecution case, the F.I.R. has been lodged against two named accused persons, in which recovery has been made from one Jogindra Ram and on the confessional statement of Joginder Ram, the name of the petitioner has figured in this case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and nothing has been recovered from his possession.

5. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. Counsel also submits that no offence under Section 76(2) of the Bihar Prohibition and Excise Act, 2016 is made out against the petitioner.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond to the satisfaction of the learned Special Judge of Excise, Aurangabad in connection with Obra P.S. Case No. 104 of 2023, G.R. No. 304 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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