

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43546 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

RAJENDRA YADAV Son of Keshar Yadav Resident of village-Beli, P.S.-
Imamganj, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 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) & 56 (b) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 192 litres foreign liquor has been recovered
from a pick up four wheeler vehicle. The driver and the owner
of the seized vehicle were succeeded in fleeing away.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. Petitioner has no concern
either with the seized liquor or any trade of liquor. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. Petitioner has been falsely



implicated in this case due to ulterior motive. He has been made accused in the present case merely because he is the registered owner of the alleged vehicle, which was stolen away on 07.01.2021 and for which petitioner has lodged FIR i.e. Imamganj P.S. Case No. 06 of 2021. He was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as petitioner has no criminal antecedent and no incriminating article has been recovered from his possession, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Excise Case No. 10 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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