

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43281 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- KISHANPUR District- Supaul

Surendra Yadav, S/O-Vilo Yadav, R/O Mehasimar, Ward No. 10, P.S-
Kishanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Kishanpur P.S. Case No. 14 of 2023 dated 27.01.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, when the informant and other police personnel were on patrolling duty, got information that a red coloured Tata Indigo car was intercepted by the villagers of Village Mehasimar. It is further alleged that on search, 0.9 litres of *nepali* wine was recovered from the said car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case. He submits that there is no recovery from the conscious possession of this petitioner rather 0.9 litre of *nepali* liquor is said to have been recovered from a car. He submits that the petitioner was made accused in the present case because he is owner of the said car. He further submits that petitioner has no criminal antecedent.

5. Petitioner has agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Considering the facts and circumstances of the case and the fact that the petitioner has clean antecedent, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Kishanpur P.S. Case No. 14 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further conditions:



(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner will not indulge himself in any similar offence till conclusion of the trial.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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