

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46051 of 2023

Arising Out of PS. Case No.-309 Year-2023 Thana- DANAPUR District- Patna

PINTU YADAV SON OF AKHILESH YADAV @ AKHILESH KUMAR
RESIDENT OF VILLAGE NASRIGANJ KABRISTAN GALI, PS- DANA-
PUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.

For the Opposite Party/ : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with
Danapur P.S. Case No. 309 of 2023 dated 6.3.2023 registered
for the offence punishable under Sections 30(a) and 42 of the
Bihar Prohibition and Excise Act, 2016.

3. As per the First Information Report, Police got a
secret information and upon receiving such information reached
graveyard situated near Nasriganj where a person started fleeing
away from the place of occurrence upon seeing the Police Party
after leaving his Yamaha Motorcycle loaded with a bag on the
road. The Police on search, recovered 100 litres of country made
liquor from Scooty. During course of enquiry, the Police



gathered information that the petitioner along with one Akhilesh Yadav used to bring the liquor from Diyara in order to sell them by using home delivery service.

4. Learned counsel for the petitioner submits that the petitioner has been made accused on the basis of secret information received by the Police and he has not committed any offence as alleged. He further submits that the petitioner is not the owner of the Scooty in question which would be evident from Annexure-2. He next submits that the similarly situated co-accused person namely, Akhilesh Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. 40763 of 2023.

5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is neither the owner of the Scooty from which the illicit liquor has been recovered nor the liquor has been recovered from his conscious possession and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on



furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Distt. Patna, in connection with Danapur P.S. Case No.309 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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