

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45877 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- BHORE District- Gopalganj

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JAY PRAKASH YADAV @ BHOLA YADAV SON OF LATE HARENDRA
YADAV @ LATE HARINDRA YADAV @ HARENDRA CHAUDHARY
R/O Village- Kalyanpur, P.S- Bhore, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Ms.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bhore Police Station Case No. 86 of 2023, dated 05.03.2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, intercepted a motorcycle, bearing registration no. BR 04P-1494 and upon seeing the police, the person, riding on the motorcycle, fled away. The police seized the motorcycle and recovered 2.6 litres of illicit country-made liquor kept under the seat of the motorcycle. The name of the



petitioner has been disclosed by the local chowkidar.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as the allegation has been levelled against the petitioner on the basis of mere secret information received by the police. He further submits that the motorcycle, in question, does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner and/or vehicle belonging to him.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that seized motorcycle does not belong to the petitioner and no illicit liquor has been recovered from his possession, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. 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 2nd Additional Sessions



Judge -cum- Special Excise Court-I, Gopalganj, in connection with Bhore Police Station Case No. 86 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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