

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52520 of 2023

Arising Out of PS. Case No.-329 Year-2023 Thana- CHAPRA TOWN District- Saran

Dayanand Kumar @ Dayanidhi Yadav S/O Dinbandhu Rai @ Dindyal Yadav
R/O Village- G.S. Bangra, Ps. Jalalpur, Dist. Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 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) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on a secret information about carrying illicit liquor, the police laid a trap and apprehended seven persons from a passenger bus and seized 84.52 liters foreign liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He submits that eight persons are named in the F.I.R. including the driver



of the said public transport bus and the petitioner is not named therein. The petitioner has been made accused in the present only because the petitioner is owner of the said public transport bus. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, 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 the learned Court below where the case is pending/successor Court in connection with Chapra Nagar P.S. Case No. 329 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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