

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58006 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- RAMGARHWA District- East
Champanan

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ANIL YADAV SON OF LATE ENARDEO YADAV RESIDENT OF
VILLAGE-BARDIYAH GHAT, PS- RAMGARHWA, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-12-2023 Heard Mr. Subodh Kumar Barnwal, learned

counsel for the petitioner and Mr. Dilip Kumar No.1, learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections
414/272/273 of the Indian Penal Code and Section 30 (a) of the
Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather 45
liters of country made liquor is said to have been recovered
from a motorcycle. The allegation against the petitioner is that
after seeing the police party he managed to escape. Petitioner



has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is not the owner of the said motorcycle. There is violation of Section 100 Cr.P.C. Petitioner has two criminal antecedents of similar nature of the offence, as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. Having regard to 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 learned Court below where the case is pending/successor Court in connection with Ramgarhwa P.S. Case No. 142 of 2023, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C, subject to the further conditions that

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

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

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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