

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57152 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- SHEKHPURA District- Sheikhpura

DULARCHAND YADAV S/O JAYRAM YADAV R/O VILL- LACHUAR,
PS- RAJGIR, DIST- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2023 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 Sections 272 and 273 of the Indian Penal Code and Sections 30 (a) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

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 six liters of foreign liquor is said to have been recovered from a motorcycle. 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. As a matter of fact, the alleged



seized motorcycle has been sold to one Ranjeet Kumar prior to this alleged occurrence. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five 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 Sheikhpura P.S. Case No. 165 of 2022, 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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