

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57008 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- SANOKHAR District- Bhagalpur

PRADEEP YADAV S/O SUKDEO YADAV R/O VILLAGE- OGRI,
MAHESHAMUNDA, PS. KAHALGAON, DIST. BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 13-09-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. Petitioner apprehends his arrest in connection with Sanokhar P.S. Case No.120 of 2023 dated 04.05.2023 registered for the offence/s punishable under Section/s 279, 337 and 338 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that admittedly the petitioner was not apprehended at the spot and he has fair and clean antecedent and he has been dragged in this matter merely on account of the alleged motorcycle upon which the alleged wine was recovered, belongs to the petitioner who is a registered owner of the said motorcycle and admittedly, petitioner was neither



present at the spot of recovery nor he was apprehended at the same time by the police and the alleged motorcycle and recovered wine were found in the possession of the son of the petitioner at the time of the recovery and the alleged offences of FIR do not even prima facie attract against the petitioner.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent, in my opinion petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail in connection with Sanokhar P.S. Case No.120 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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