

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56853 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- MIRGANJ District- Gopalganj

Sunil Kumar Yadav, Male, aged about 23 years, Son of Jamdar Chaudhary,
Resident of Village- Harkhauli Paschim Tola PS- Mirganj District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the State : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mirganj P.S. Case No. 243 of 2023 dated 23.06.2023 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 179.280 litres of country made liquor kept in cartoon was recovered from the bush.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence and has been implicated in this case



merely on suspicion. There is no material against the petitioner.
The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Special Court No.-II, Gopalganj in Mirganj P.S. Case No. 243 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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