

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59083 of 2022

Arising Out of PS. Case No.-490 Year-2022 Thana- PURNEA SADAR District- Purnia

Abhishek Kumar Yadav @ Ajay Kumar Yadav @ Ajay Yadav Son Of Shree
Ram Swarup Yadav R/O Ward No. 36, Shastri Nagar, Gulabbagh, P.S.- Sadar,
District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

3 27-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Purnia Sadar P. S. Case No. 490 of 2022 registered for the
offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, total 49.5 litres of illicit
foreign liquor was recovered from a Magic Van bearing
registration no. BR-11S-2818.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. Nothing
has been recovered from the conscious possession of the
petitioner. The petitioner has no concern with the alleged



recovery. The petitioner is not the owner of the said vehicle. The said vehicle was not being driven by the petitioner. In fact, the petitioner was not present at the place of the occurrence. Learned counsel further submitted that no case is made out against the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Purnia in connection with Purnia Sadar P. S. Case No. 490 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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