

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59061 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- DARAUNDA District- Siwan

Vikash Kumar Yadav @ Vikash Yadav S/O- Rama Shankar Chaudhary
Village- Indapur P.S. Daraunda District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Daraunda P.S. Case No. 60 of 2023 instituted under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 13.86 litres of illicit Indian made foreign liquor was recovered from the bushes.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. There is no recovery made from physical or conscious possession of the petitioner, the recovery is from abandon place and it may be possible to easily kept or consume by anyone of the enemies of the petitioner to implicate him in a false case. He was not



present at the place of occurrence. He has no concern with the said recovered liquor. Petitioner has no criminal antecedent.

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

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 to each to the satisfaction of the learned Exclusive Special Judge Excise, Court No.-I, Siwan in connection with Daraunda P.S. Case No. 60 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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