

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59248 of 2023

Arising Out of PS. Case No.-122 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Amarjeet Yadav, S/O Rudal Yadav R/O Village- Bhangaha, PS. Nautan, Dist.
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-09-2023 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.

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

3. The petitioner is apprehending his arrest in connection with Vishambharpur P.S. Case No. 122 of 2023 dated 15.07.2023 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, the petitioner and the co-accused person are alleged to have loaded wine on a boat in the river. On the basis of said information, the police personnel reached near the house of Devdhar Singh and saw a boat. On



seeing the police personnel, three persons fled away from the spot. On search, 730.800 litres of foreign wine was recovered from the said boat.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged recovery. It is further submitted that the petitioner is neither the owner nor the sailor of the said boat. The co-accused person has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 20.09.2023 passed in Cr. Misc. No. 57785 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Vishambharpur P.S. Case No. 122 of 2023,



subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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