

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60413 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- HASANPUR District- Samastipur

Baidya Nath Yadav @ Baidhnath Yadav @ Baijnath Yadav S/O Late Nand Lal
Yadav Village Bargaon Bargao Badganv Ps Hasanpur District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advo

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Hasanpur P.S. Case No. 125 of 2023 instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 243 litres foreign liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner and the house from where the recovery is made is under construction and is without roof and wall. Petitioner has no concern with the recovered liquor. He further submits that petitioner has been falsely implicated in this case due to ulterior motives.



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

6. Considering the facts and circumstances of the case and submission 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 Special Judge, Excise 1st, Samastipur in connection with Hasanpur P.S. Case No. 125 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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