

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61356 of 2022

Arising Out of PS. Case No.-115 Year-2018 Thana- NARPATGANJ District- Araria

=====

AMAR NATH YADAV S/o Late Indra Prasad Yadav R/o Mohalla- Ramnagar,
Patthar Gali, P.S.- Jakkanpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

594 litres of Nepali liquor, 36 litres of beear and
17.280 litres of foreign liquor has been recovered from a four
wheeler.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that there is no recovery from
conscious possession of the petitioner. It is submitted that the



petitioner has been made accused in this case as the vehicle is in the name of the petitioner. It is submitted that the said vehicle has been purchased by the petitioner in an auction. Thereafter the petitioner had sold the said vehicle to one Ravi Kumar.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Petitioner is agree to deposit a sum of Rs.10,000/- (rupees ten thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria in connection with Narpatganj P.S. Case No.115 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

