

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65430 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- AMBA District- Aurangabad

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Basant Yadav, (M), aged about 32 years, S/o- Krishna Yadav, R/O Village-
Langurahi, P.S.- Hariharganj, Dist- Palamu, Jharkhand.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rahul Kumar Singh, Advocate

For the Opposite Party : Mrs. Asha Kumari, A.P.P.

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

ORAL ORDER

2 08-11-2023 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 Amba P.S. Case No. 98/2023 (G.R. No.

716/2023) dated 22.04.2023 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise (Amendment) Act, 2018.

4. As per the prosecution case, total 31.680 litres of



illicit liquor was recovered from the Motorcycle which was driven by the co-accused, Surendra Yadav.

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 conscious possession of the petitioner. The name of the petitioner has been dragged in the present case as the petitioner is the owner of the said Motorcycle. The said Motorcycle was given by the petitioner to co-accused Surendra Yadav for his personal use who is relative of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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, Aurangabad in connection with Amba P.S. Case No. 98/2023, 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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