

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73673 of 2023

Arising Out of PS. Case No.-363 Year-2023 Thana- SAHPUR District- Bhojpur

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Dinesh Yadav S/O Rameshwar Yadav Resident Of Village- Suhiya, P.S-
Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

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

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Shahpur P.S. Case No. 363 of 2023 dated
09.08.2023 registered for the offences punishable u/s 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2.520 litres of
illicit foreign liquor was recovered from the motorcycle which
was kept in a plastic bag.

4. Learned counsel for the petitioner has submitted
that the petitioner has falsely been implicated in this case. The
name of the petitioner was disclosed by the co-accused,
Rameshwar Yadav. The motorcycle was not being driven by the



petitioner. No case is made out against the petitioner. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. 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 bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur at Ara in connection with Shahpur P.S. Case No. 363 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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