

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68965 of 2023

Arising Out of PS. Case No.-560 Year-2023 Thana- BARACHATTI District- Gaya

PANKAJ YADAV @ PANKAJ KUMAR S/O KRIT YADAV R/O VILL-
KAHUDAG NIMIYATAND, P.S.-BARACHATTI, DIST.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh
For the Opposite Party/s : Mr. Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Barachatti (Mohanpur) Police Station Case No. 560 of 2023, dated 12.06.2023, disclosing offences under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.
3. The prosecution case, as per the First Information Report, is that the police raided the house of one Pawan Yadav and recovered total 49.5 liters of illicit liquor. It has further been alleged that the police got the information that it is the petitioner, who brings the illicit liquor from Jharkhand and hand it over to Pawan Yadav for selling it. The petitioner is maternal-uncle of the co-accused Pawan Yadav.



4. Learned counsel for the petitioner submits that the petitioner is having no criminal antecedent and no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner and he has only been made accused by the police on the basis of secret information that it is the petitioner, who supplies illicit liquor to one Pawan Yadav. He further submits that from perusal of the seizure list, it would be evident that illicit liquor has been recovered from the house of Pawan Yadav.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise



Court No. 5, Gaya, in connection with Barachatti
(Mohanpur) Police Station Case No. 560 of 2023, subject
to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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