

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67506 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- MURAR District- Buxar

MANISH YADAV @ BHARBHARI YADAV @ SONU KUMAR Son of
Surendra Yadav @ Surendra Singh R/v- Konhi, P.S.- Murar, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak
For the Opposite Party/s : Mrs. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable u/s 30 (a) of Excise Act.

Altogether 40 liters of country made liquor is said to
have been recovered from the spot.

It is submitted by learned counsel for the petitioner is
quite innocent and has committed no offence. No incriminating
article has been recovered from the conscious physical
possession of the petitioner. He has no concern either with the
seized liquor or any trade of liquor. He has been falsely
implicated in this case at the instance of his enemy. He was not
apprehended on the spot and his name transpired in the case
only on the basis of suspicion. He further submits that the said



paddy field from where the illicit liquor has been recovered does not belongs to the petitioner. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below, where the case is pending/Successor court, in connection with Murar P.S. Case No.106 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid in the PM Cares fund.

(Anjani Kumar Sharan, J)

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