

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68751 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- GOH District- Aurangabad

SHIV KUMAR YADAV Son of Sita Yadav R/V- Dingrahi, P.S- Goh, dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP.

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 under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The prosecution story, in brief, is that on secret information, police reached at Dihuri Dadar Road. After seeing the police, petitioner started to flee throwing his plastic bag on the road from which 18 liters Mahua country made liquor was recovered.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to their enemies. No incriminating article has been recovered from the



conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He was not apprehended on the spot. His name has been transpired in this case on the basis of statement of local Chowkidar. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (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 Goh P.S. Case No. 218 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the



further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) 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 PM Cares fund.

(Anjani Kumar Sharan, J)

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