

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71011 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- MADHEPUR District- Madhubani

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DHIRAJ YADAV @ DHIRAJ KUMAR YADAV Son of Kaushal Yadav R/v-
Newada, P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Sections 30(a)/47 of the Bihar Prohibition and Excise Act.

1.125 litres of foreign liquor has been recovered from the *Bhusa* house of co-accused, Kaushal Yadav, father of the petitioner. Co-accused, Kaushal Yadav was arrested from the house. The petitioner and other co-accused persons are said to have fled away from the spot.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one



criminal antecedent of similar nature as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the P.M. 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.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail 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 Special Judge, Excise Act, Jhajharpur in connection with Madhepur P.S. Case No.152 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) 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 the PM Cares Fund.

(Anjani Kumar Sharan, J)

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