

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72074 of 2023

Arising Out of PS. Case No.-237 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

RAM CHANDRA YADAV son of Hari Kishun Yadav Village- Baghnochi Ps-
Baheri Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, ADvocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018 pending in the learned court below.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 3777.48 liters of foreign liquor is said to have recovered from a truck. He further submits that driver and co-driver of the truck were apprehended by the police. He submits that only on suspicion the petitioner has been made accused in this case. He further submits that petitioner is neither driver nor owner of the seized truck. He submits that



there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner is working as Bank Mitra of ICIC Bank Limited KIOSK located at Chakla and he has send the money to the named accused person on that basis he has been made accused in this case. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

4. Learned APP for the State opposes the prayer for bail.

5. Considering the facts and circumstance of the case, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Mohania P.S. Case No. 237 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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