

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73059 of 2022

Arising Out of PS. Case No.-310 Year-2022 Thana- BISFI District- Madhubani

RAM BABU YADAV S/o Late Asheshwar Yadav R/v- Patauna, P.S.- Bisfi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-01-2023 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 Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution story, in short, is that on secret information, police raided the shop of the petitioner and apprehended his son namely Anish Kumar and total 1.5 litres of illicit liquor has been recovered from his shop. On interrogation, Anish Kumar stated that this father Rambabu Yadav used to bring liquor from Nepal and sells its.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No



incriminating article has been recovered from the conscious physical possession of the petitioner rather 1.5 liters of illicit liquor is said to have been recovered from bush near the battle shop of petitioner which is an open place. Petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten 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 P.S. Case No. 310 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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