

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74845 of 2023

Arising Out of PS. Case No.-447 Year-2023 Thana- BHORE District- Gopalganj

Mithun Yadav @Abhay Yadav @Abhay Kumar Son Of Amarjit Yadav Resi-
dent Of Village- Luhsi, Ps- Bhore District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 61 liters of country made liquor is said to have been recovered from the place of occurrence. 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. Petitioner has been falsely implicated in this case at the instance of his enemy. One



person was apprehended who disclosed the name of the petitioner. Petitioner was not apprehended on the spot. Petitioner has six criminal cases pending against him out of six four are of similar nature offence, as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 Bhore P.S. Case No. 447 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the afore-said amount in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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