

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73824 of 2023

Arising Out of PS. Case No.-236 Year-2023 Thana- RAXAUL District- East Champaran

Rupesh Yadav @ Rupesh Kumar Yadav Son Of Hari Narayan Yadav Village-
Sahdewa, Ps. Raxaul, Dist.East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Raxaul P.S. Case No. 236 of 2023 dated 14.05.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 124 litres of illicit Nepali liquor was recovered from the Hundai Car.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by local *chowkidar*. It is further submitted that the said vehicle does not belong to the petitioner and the vehicle was not driven by the petitioner at the



time of alleged recovery. Nothing has been recovered from the possession of the petitioner. No case is made out against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran in connection with Raxaul P.S. Case No. 236 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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