

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74372 of 2022**

Arising Out of PS. Case No.-186 Year-2022 Thana- KHAJAULI District- Madhubani

SAROJ KUMAR YADAV Son of Ram Kripal Yadav R/V- Kashma Marar,  
P.S- Khajauli, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      28-03-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 30(a), 32(1)(2) and 41(1)(2) of the Bihar Prohibition and Excise Act.

1240.2 litres of illicit foreign liquor has been recovered from a truck. The driver of the truck was apprehended at the spot who disclosed the name of the petitioner.

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 no criminal antecedent 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. 1,00,000/- (rupees one lakh) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

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 Additional Sessions Judge, 2<sup>nd</sup>, -cum-Special Judge, Excise Act, Madhubani in connection with Khajauli P.S. Case No.186 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 Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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