

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80766 of 2023**

Arising Out of PS. Case No.-254 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Visheshar Yadav Son Of Tilo Yadav R/O Village- Sripur, Ward No. 06, P.S.-  
Cheria Bariyarpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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

2      19-12-2023                      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 Section 30(a) of the Bihar Prohibition and Excise Act.

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 5 liters of country made liquor is said to have recovered from a motorcycle. He further submits that petitioner is made accused in this case because one person, namely, Vishwanath Singh disclosed that he has sold the said motorcycle to the petitioner. He submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent



as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000.00/- (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central Bank of India, Chitkohra Branch.

5. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, 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 Khodawanpur P.S. Case No. 254 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 Mahavir Cancer Sansthan, Patna.

**(Anjani Kumar Sharan, J)**

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