

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81207 of 2023**

Arising Out of PS. Case No.-196 Year-2022 Thana- KISHANPUR District- Supaul

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Braham Dev Yadav Son Of Late Rami Yadav Resident Of Village -
Sarojabela, Malhu Tola, P.S. - Marauna, District - Supaul. At Present House
No.526, Village - Nathopur, P.S. - Gurgaw, Haryana

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Manoj Kumar

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

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP 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 162 litres
of foreign liquor is said to have been recovered from a vehicle.
Petitioner has no concern either with the seized liquor or the
place of recovery or any trade of liquor. On co-accused was
arrested from the place of occurrence and he disclosed that the



petitioner is the owner of the said vehicle. He further submitst that the petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, Central Bank of India, Chitkohra Branch, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. 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, 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 Kishanpur P.S. Case No. 196 of 2022, 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.

6. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of the
aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

Ranjeet/-

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