

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21140 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Chhotu Yadav @ Pradeep Yadav, Son Of Sri Bidan Yadav R/O-Amrita Puwari
Tola, Ward No. 5, P.S.-Sonbarsa Raj Distt.-Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section 30(a)
of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the allegation
is of recovery of 22 litres of liquor from a bush near bank of river.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a place, which is accessible to public at large and
does not belong to the petitioner and he came to be implicated at
the instance of Chaukidar. It is next submitted that in most of the
cases, innocent persons are being implicated by the police either at



the instance of Chaukidar or local people. It is thus submitted that if the Chaukidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police earlier prior to institution of the instant F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the Incharge learned Exclusive Special Judge Excise, Saharsa in connection with Sonbarsa Raj P. S. Case No.240 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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