

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21020 of 2024**

Arising Out of PS. Case No.-56 Year-2024 Thana- DAGARUA District- Purnia

Vikash Yadav @ Vikash Prasad Yadav, aged about 29 years, Gender-Male,  
S/O Basudev Yadav, R/O Village- Lasanpur, P.S- Dagarua, Distt.- Purnia.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Priyesh Kumar, Advocate  
For the Opposite Party : Mr. Uma Nath Mishra, A.P.P.

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

ORAL ORDER

2      22-03-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dagarua P.S. Case No. 56 of 2024 dated 14.02.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, 646.92 litres of foreign liquor was recovered from the Scorpio vehicle in question.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the possession of the petitioner. It is submitted that the petitioner is



not the owner and the driver of the said Scorpio vehicle. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the co-accused. There is no compliance of Section 100 of the Cr.P.C. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail 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 anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Purnea in connection with Dagarua P.S. Case No. 56 of 2024, subject to the condition 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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