

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28071 of 2024

Arising Out of PS. Case No.-894 Year-2023 Thana- FATEHPUR District- Gaya

SIYA RAM KUMAR S/O BALDEV YADAV R/O VILLAGE- CHARKA
PATHAR, P.S- FATEHPUR, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and Mr.
Umeshanand Pandit, learned A.P.P. for the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, 100 litres country made
liquor has been recovered from the tempo.

4. Learned counsel for the petitioner submits that
petitioner is innocent and his name surfaced in this case only on
the basis of confessional statement of co-accused Nitish Kumar
who was driver of the tempo in question. Petitioner is neither
driver nor owner of the tempo from which the illicit liquor has
been recovered. Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances



of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 04, Gaya in connection with Fatehpur P. S. Case No. 894 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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