

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28420 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Laddu Yadav @ Rajkishor Yadav Son of Ramdas Yadav Resident of Village-
Nura Chhapra, P.O.- Barharia, P.S.- Barharia, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 202-08-20241. Heard the parties.
2. The petitioner apprehends his arrest in connection with Gopalganj Town P.S. Case No. 104 of 2023 dated 13.02.2023 registered under Sections 48 / 52 of the Bihar Prohibition and Excise Act.
3. As per the prosecution case one Scorpio vehicle was intercepted by the Police and two persons were arrested namely, Bholu Singh and Narayan Soni along with a sum of Rs. 3 lakh and one mobile phone. Upon enquiry, they disclosed that they have delivered the consignment of liquor to the petitioner and the money recovered was paid by the petitioner as the price of



liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been implicated in this case with oblique motive. The petitioner is not having any criminal antecedent and his name has been dragged in this case on the basis of confessional statement made by the arrested co-accused from whose possession money was recovered. No illicit liquor was recovered from the possession of the petitioner and / or the arrested co-accused. The co-accused / Biru Kumar @ Golu Kumar Srivastava has been granted anticipatory bail by this Court in Cr. Misc. No. 64913 of 2023.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent, no recovery of liquor has been made from his possession and the co-accused has been granted anticipatory bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



Additional District and Sessions Judge-II-cum- Special Excise
Judge-01, Gopalganj in connection with Gopalganj Town P.S.
Case No. 104 of 2023 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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