

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38510 of 2024**

Arising Out of PS. Case No.-107 Year-2024 Thana- NAWANAGAR District- Buxar

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Bittu Yadav @Bittu Kumar S/O baban yadav R/O Village GIRIDHAR  
BARAON, P.S. Nawanagar(Sonbarsa O.P.), Distt-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma

For the Opposite Party/s : Mr.Ramesh Chandra

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      17-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in connection with Nawanagar P.S. Case No. 107 of 2024 instituted for the offence under Sections 30(a), 30(c), 30(d), 36, 41(1) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner along with others is of engaging in the business of manufacturing and selling of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of confessional statement of apprehended co-



accused, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the apprehended co-accused person. Petitioner has no knowledge regarding the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Nawanagar P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Rudra Prakash Mishra, J)**

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