

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39120 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- SRINAGAR District- West Champaran

Laldhar Yadav @ Raju Yadav Son of Amerika Yadav R/o Village- Suryapur,
P.S.- Srinagar, Dist.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap
For the Opposite Party/s : Mr.Rajendra Nath Jha

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Srinagar P.S. Case No. 136 of 2023 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

3. As per prosecution case, in short, is that, 99 liters of liquor was recovered from a motorcycle.

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. Petitioner has no concern either with the alleged recovery of liquor or with the vehicle in question. No



incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has one criminal antecedent in which he is on bail. Moreover, it is submitted that the other co-accused has already been granted regular bail by this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 17557 of 2024. Petitioner has no knowledge regarding the alleged occurrence. 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 Srinagar P.S. Case No. 136 of 2023, 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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