

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43017 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- HATHUA District- Gopalganj

Raju Yadav @ Raju Kumar Son of Nagendra Yadav @ Jhunna Yadav  
Resident of village - Jainan, P.S.- Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Shahi, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar No. 2, Advocate

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      20-07-2024      Heard learned counsel for the petitioner and learned A.P.P.  
for the State.

2. The petitioner apprehends his arrest in connection with  
Hathua P.S. Case No.72 of 2024 instituted under Section 30(a)  
of the Bihar Prohibition and Excise Act.

3. There is recovery of 10.800 litres of Indian made  
foreign liquor from a bag allegedly thrown by the petitioner near  
the bank of pond and it is alleged that the petitioner managed to  
flee away on seeing the police party.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this case  
on the basis of suspicion. Neither the petitioner was arrested on  
the spot nor any recovery of liquor was made from possession of  
the petitioner. The name of the petitioner has come in this case



only on the basis of disclosure made by the villagers but the police did not disclose the name of villagers, who had identified the petitioner. The petitioner has one criminal antecedent in which he is on bail. The petitioner undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge XIII-cum-Special Excise Judge I, Gopalganj in connection with Hathua P.S. Case No.72 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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