

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44733 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- ARA NAGAR District- Bhojpur

Rajesh Yadav @ Rajesh Kumar Son Of Shankar Yadav Village- Balbarta,
Arrah, Bhojpur, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Srijan, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Ara Town P.S. Case No. 274 of 2024, registered on 01.05.2024, for the alleged offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner keeping and selling illicit liquor from his house. A raid was conducted and the petitioner fled away from the spot. On search of the house and nearby place, from the left side of the house of the petitioner, recovery of 8.6 liters of India made foreign liquor was made.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. From the FIR, it is evident that no recovery has been shown from the house of the petitioner and recovery has been made from a pit outside the house of the petitioner. Learned counsel further submits that petitioner is a student and he has got clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the possibility of false accusation and lack of material to connect the petitioner with the offence as alleged, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Excusive Special Excise Court-I, Bhojpur, Ara in connection with Arrah Town P.S. Case No. 274 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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