

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42508 of 2024

Arising Out of PS. Case No.-134 Year-2022 Thana- CHAKAND District- Gaya

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Arun Kumar @ Arun Yadav S/o Dugri Yadav R/o vill.-Bahadur Bigha, P.S.-
Chakand, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Chakand P.S. Case No. 134 of 2022, registered on 22.05.2022 for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about petitioner and other co-accused persons manufacturing and selling illicit liquor. A raid was conducted at the identified place and two persons fled away from the spot and petitioner is stated to be one of the escaped persons. From the said place, recovery of 10 litres of country made Mahua liquor, gas cylinder and two aluminum utensils were made.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. The name of the petitioner came in the statement of Chaukidar and apart from that there is no material against the petitioner. The petitioner has no concern with the seized articles and the place from where the seizure has been made. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of material to connect the petitioner with the offence as alleged and further considering the possibility of false implication, 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Gaya/concerned court in connection with Chakand P.S. Case No. 134 of 2022, subject to the condition as 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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