

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43565 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- KOTWA District- East Champaran

Suraj Kumar Yadav Son of Upendra Yadav R/O Village- Chaubetola,
Ahirauliya, P.S.- Kotwa (Bhopatpur), District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kotwa (Bhopatpur) P.S. Case No. 349 of 2023 dated 06.10.2023 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 332, 333, 353, 427, 504, 506 of the Indian Penal Code and u/ss 30(a), 32, 41(1), 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 241.920 litres of illicit foreign liquor was recovered near the stairs from the house of the petitioner. In front of the house, illicit liquor and bear were recovered from a car, illicit liquor of 180 ml was recovered from the two motorcycles. The counting of the bottles were yet to be done. In the meanwhile, 18-20 people came and caused hindrance in discharge of their official duty by pelting stones. The accused persons damaged the official vehicle and managed to take away



the seized liquors and vehicles.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by local Chowkidar. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the house of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the material available on the record, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

8. The application stands disposed of.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

