

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43382 of 2024

Arising Out of PS. Case No.-463 Year-2023 Thana- BAHADURPUR District- Darbhanga

Ram Yadav S/O Hari Kishore Yadav R/O Village-Raghaipura,P.S.-
Bahadurpur,Distt-Darbhang

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Bahadurpur P.S.
Case No. 463 of 2023, registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 168 liters
liquor was recovered beneath water hyacinth.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from
the conscious possession of the petitioner. The petitioner has no
concern with the alleged recovery of liquor. Learned counsel for
the petitioner further submits that the alleged recovery has been



made from an open place which is accessible to public at large. Name of the petitioner has transpired on the basis of disclosure made by local people. The petitioner has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bahadurpur P.S. Case No. 463 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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