

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48555 of 2024**

Arising Out of PS. Case No.-123 Year-2024 Thana- Excise P.S. District- Siwan

Jitendra Kumar Yadav Son of Shyam Bihari Yadav R/O Vill.- Sukwa, Bahiari Baghel, P.S.- Bhatpar Rani, Dist.- Deoriya, U.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Siwan Excise Police Station Case No. 123 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 1206 liters of liquor was recovered from the truck.

4. It has been submitted on behalf of the petitioner that the petitioner is innocent and has falsely been implicated in this case. The petitioner has got no criminal antecedent. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the name of the petitioner has transpired as being owner of the truck in question. He has no



knowledge regarding nature of goods loaded in his vehicle. No incriminating material has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Siwan Excise Police Station Case No. 123 of 2024, 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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