

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48719 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- SISWAN District- Siwan

Kamlesh Yadav S/O Gaurishankar Yadav R/O Village- Ramgarh, PS-Chainpur(OP), Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Siswan (Chainpur O.P) P.S. Case no. 150 of 2024, registered under section 30 (a) of Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, on information having been received and a raid being conducted, it is stated that while the petitioner managed to escape, co-accused Achhelal Manjhi was caught and 24.6 litres of liquor recovered.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. Referring to the seizure list, it is submitted that the alleged place of recovery



is an agricultural land in front of the house of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R, no incriminating article having been recovered from the petitioner’s possession and his not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Siswan (Chainpur O.P) P.S. Case no. 150 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, court no-II, Siwan.

(Partha Sarthy, J)

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