

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49963 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- SAUR BAZAR District- Saharsa

Kundan Yadav @ Kundan Kumar Yadav @ Kundan Kumar son of Sanjay Prasad Yadav Village- Mahesh Khunt Ps- Mahesh Khunt Dist- Khagariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Raj, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in Saur Bazar P.S. Case No. 216 of 2024, registered under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 2474.64 liters liquor was recovered from truck.

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



has transpired as being owner of the vehicle in question and he has no knowledge regarding the goods booked by the transporter/goods kept in the vehicle. The petitioner has got no 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 Saur Bazar P.S. Case No. 216 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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