

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50269 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- RAMNAGAR District- West Champaran

Dilip Yadav @ Dilip Kumar Yadav Son of Lalan Yadav Resident of Vill-
Checkpoint Sonkhar, P.S.- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Ramnagar P. S. Case No. 142 of 2024 instituted for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The allegation is of recovery of total 58 litres of
country made liquor from the north side of the petitioner's house
beneath the palm tree.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from conscious possession of the petitioner or from the
house of the petitioner. The seizure has been made from open



place, which is accessible to all. It is submitted that co-accused, namely, Janak Kumar @ Janak Yadav has been granted anticipatory bail by this Court *vide* order dated 20-07-2024 passed in Cr. Misc. No. 43939 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran, in Ramnagar P. S. Case No. 142 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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