

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49571 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- NAUTAN District- West Champaran

Nanhak Yadav @ Surendra Yadav Son of Late Chokat Yadav Resident of Vill-
Machhargawan, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nautan P.S. Case No.207 of 2024 instituted under Sections
30(a) /41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 73.935 litre
foreign liquor alongwith motorcycle were recovered from
Village Shivrajpur Sankahiya.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner.
Learned counsel submits that the petitioner was neither present
on the spot, nor he has any concern with the seized three



motorcycle or wine. He further submits that petitioner has two criminal antecedents, however, he is on bail in both the case. Learned counsel submits that there is no proper compliance of mandatory provision of Section 100 of Cr.P.C. Petitioner undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Nautan P.S. Case No.207 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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