

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54163 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- SAUR BAZAR District- Saharsa

NAGO YADAV @ NAGAU YADAV S/O LATE RAGHUNANDAN
PRASAD YADAV R/O VILLAGE- LAXMIPUR, WARD NO.-10, P.S-
SOUR BAZAR, O.P- PATARGHAT, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Sour Bazar (Patarghat O.P.) PS case no. 159 of
2024, disclosing offences punishable under Sections 30(a), 44 of
Bihar Prohibition and Excise Act, 2016 and Sections 413,
414, 411 of the Indian Penal Code.
3. The prosecution story, as per the First Information
report, is that upon secret information that illicit liquor were
unloaded at the house of accused Pintu Yadav, police reached at
the place of occurrence and upon seeing police party, accused
persons started fleeing away, however, on chase, two persons
were arrested, who disclosed the name of the petitioner and



accused Pintu Yadav and the persons, who had fled away. On search, police recovered 115.170 of illicit foreign liquor from a ditch near the door of the house of accused persons.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and illicit foreign liquor has not been recovered either from his house or from his conscious possession. He further submits that petitioner is having clean antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit foreign liquor has not been recovered either from inside the house or from his conscious possession rather it has been recovered from near the door of the house of the petitioner, which is an open space, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise),



Saharsa in connection with Sour Bazar (Patarghat O.P.) PS case
no. 159 of 2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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