

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54609 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- SINDHUGAR District- Gaya

Vijay Yadav @ Firi Kumar Son of Jugal Yadav Village- Mocharak, P.O. Naudiha Jhurang, P.S. Fatehpur, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in Sindugadh P.S. case No. 06 of 2024 registered under Sections 30(a), 30(d) of the Bihar Prohibition and Excise Act and 2(anga), 5(kha) and 18 of Bihar Mahua Flower Rules, 2006.

3. The prosecution allegation, in short, is that 350 liters liquor and 120 kg mahua flower were recovered from four motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent in which he is on bail. No incriminating material has been



recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the motorcycles in question. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Shyamdeo which has no evidentiary value. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sindugadh P.S. case No. 06 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

