

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58991 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- YADOPUR District- Gopalganj

Lalbabu Yadav S/O Ramakant Yadav Resident of Vill- Bariyarpur, P.S-
Nautan, Dist- Betiya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Yadopur P.S.
Case No. 1 of 2024, registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 51.84 liters
liquor was recovered from the spot.

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 no concern with the alleged
recovery of liquor. Learned counsel for the petitioner further
submitted that the petitioner is not named in the FIR. Name of
the petitioner has transpired on the basis of disclosure made by



local chowkidar and on the basis of confessional statement of co-accused Jitan Ram which has got no evidentiary value. The petitioner has got one 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 Yadopur P.S. Case No. 1 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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