

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56972 of 2024

Arising Out of PS. Case No.-327 Year-2021 Thana- MADANPUR District- Aurangabad

Kuer Yadav @ Kuwar Yadav Son of Ram Baran Yadav Resident of Village -
Murgara, Nima Anjan, P.S. - Madanpur, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madanpur P.S. Case No. 327 of 2021 instituted under Sections 30(a),(b),(c) and 33 of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on secret information the Police team raided the house of the co-accused Vijay Paswan and from his house 45 litres of Mahua wine was recovered and there was also recovery of utensils used for making wine from different places near the river.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and except the suspicion there is no material against the petitioner. There is



no recovery of any incriminating article from the conscious possession of the petitioner. He further submits that the petitioner has no concern with the seized article or with the alleged place of occurrence or with the other co-accused persons. The petitioner has two criminal antecedent out of which one belongs to Excise Act. The petitioner undertakes to co-operate in the investigation and the trial.

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 Special Judge, Excise Court No. 1, Aurangabad / Concerned Trial Court in connection with Madanpur P.S. Case No. 327 of 2021, 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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