

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61309 of 2024

Arising Out of PS. Case No.-234 Year-2024 Thana- MIRGANJ District- Gopalganj

Govinda Yadav @ Govinda Kumar Yadav, son of Amal Yadav @ Amal Chaudhary, Village- Jigna Rajghat, P.S. -Mirganj, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party : Mr. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Mirganj P.S. Case No. 234/2024 dated 12.06.2024 registered for the offences punishable under Sections 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 322 litres of illicit country made liquor was recovered from the *Scorpio* vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the *Scorpio* vehicle does not belong to the petitioner. No incriminating article has been



recovered from his possession. He has no concern with the alleged offence. The other co-accused Aakash Yadav @ Akash Yadav has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 59175 of 2024 under order dated 14.08.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5.Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court No.-II, Gopalganj, in connection with Mirganj P.S. Case No. 234 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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