

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76803 of 2024

Arising Out of PS. Case No.-196 Year-2024 Thana- SONO District- Jamui

Sanjay Kumar Yadav @ Sanjay Yadav Son of Late Lilo Yadav @ Late Tilo
Resident of Village -Tahakar, PS- Charkapatthar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable u/s 30(a) of Bihar Prohibition and
Excise Act.

3. Altogether 25.5 liters of foreign liquor is said to have
been recovered from motorcycle of the petitioner. One person
apprehended on the spot and the petitioner fled away from the
spot.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case. No incriminating
article has been recovered from the conscious physical
possession of the petitioner. He has no concern either with the



seized liquor or any trade of liquor. He was not apprehended on the spot and he has been made accused only on the basis of suspicion. It is further submitted that the petitioner was going to Chakai for some reason and a person who was carrying the plastic bag left it on the road due to which the petitioner has been implicated in this case. Petitioner has three criminal antecedent of similar nature.

5. Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Sono P.S. Case No.196 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:



(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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