

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75011 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- SALAIYA District- Aurangabad

Sanjay Yadav Son of Nageshwar Yadav Resident of Village - Khajuwatia, P.S.
- Salaiya, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Salaiya P.S.Case no.122 of 2023 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on reaching the place of occurrence he saw a person carrying a gallon. Seeing the police personnel it is stated that he threw the gallon on the side of the road and escaped. He was identified as the petitioner herein. On opening the gallon it transpired that the same contained 15 litres of country liquor.

4. Learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from his house. He has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the petitioner not having been arrested at the spot and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Salaiya P.S.Case no.122 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court no.1, Aurangabad.

(Partha Sarthy, J)

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