

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75844 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Dhirendra Yadav @ Dharmendra Yadav Son of Dasu Yadav R/o Vill -
Ganghar, P.S - Magadh University (M.U.), District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with M.U. P.S. Case No. 79 of 2024 registered on 28.04.2024 for the offences punishable under Sections 30(a), 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, the police on the basis of secret information intercepted a car from which a total recovery of 5 liters of country made liquor has been made which is the subject matter of the present case. Two persons were apprehended from the car who were found in a drunken condition.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. From the First Information Report, it itself appears that the



petitioner was not present at the place of seizure on the alleged date of occurrence, but only being the owner of the vehicle from which the alleged recovery has been made and the son of one of the accused namely Pradumn Kumar, he has been made accused in this case. The petitioner has no concern with the alleged seized liquor nor the same has been recovered from his conscious physical possession. The antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner, but submits that his antecedent is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Gaya, in connection with M.U. P.S. Case No. 79 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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