

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77191 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- GOH District- Aurangabad

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Lavkush Yadav @ Sagun Son of Butai Yadav Resident of Village- Akauni,
P.S.- Goh, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Goh PS case no. 244 of 2024, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information Report, is that Police got secret information that petitioner along with other accused persons were selling illicit liquor from the hut of Lalu Yadav. Upon this information, the Police reached at the place of occurrence and upon seeing the police party, some persons started fleeing away and despite chase, they succeeded in the same. The Mahal Chowkidar identified the persons who fled away as petitioner and other accused persons. Total 40 liters



of country made mahua liquor was recovered from the hut of co-accused Lalu Yadav.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and the illicit liquor has not been recovered from his conscious possession and/ or from the premises belonging to him. Learned counsel further submits that the liquor has been recovered from the hut of co-accused Lalu Yadav, who is not the petitioner before this Court.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and illicit liquor has been recovered from the hut of co-accused Lalu Yadav and not from the premises of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad in connection with Goh PS case no. 244 of 2024, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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