

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80633 of 2024

Arising Out of PS. Case No.-20 Year-2022 Thana- JAYNAGAR District- Madhubani

Bindeshwar Yadav, S/o Bhagti Yadav, R/o Village – Kuar, P.S. - Jaynagar,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jaynagar P.S. Case No. 20 of 2022 (GR No. 111 of 2022), registered for the offences punishable under Section 414 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 & Section 25 (1-b)a, 26 of the Arms Act.

3. As per the prosecution case, when the police was in course of vehicle checking at Waterwage Chowk, then the drivers of the Santro Car and motorcycle, on seeing the police, tried to escape from the place but the driver of the motorcycle was apprehended by the police and disclosed his name as Rajpal Yadav. On search, 123.12 litres of illicit liquor was seized from



the car. It is alleged that the petitioner is the owner of the seized motorcycle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The seized motorcycle was not belongs to the petitioner as he sold the motorcycle to the co-accused Rajpal Yadav in 2019, in support of which copy of the sale agreement and affidavit of Rajpal Yadav is annexed with the present petition. Petitioner is not the owner of the said motorcycle and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has two criminal antecedents that does not belongs to the Excise Act and he is on bail in both the cases. The petitioner undertakes to cooperate in the investigation and trial of this case.

5. Learned counsel for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two



sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Jaynagar P.S. Case No. 20 of 2022 (GR No. 111 of 2022), subject to the conditions as laid down under Section 482 (2) of the BNSS, 2023.

(Sunil Dutta Mishra, J)

khushbu/-

U		T	
---	--	---	--

