

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75889 of 2024

Arising Out of PS. Case No.-440 Year-2024 Thana- Excise P.S. District- Nawada

Subodh Kumar @ Subodh Yadav Son of Vijay Yadav village- Bajwari, Ps-
Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Meena Singh, 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 Excise P.S. Case No. 440 of 2024 dated 17.06.2024, lodged under Sections 30(a) & 30(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. Total recovery of 100 litres of illicit liquor has been recovered which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the alleged illicit liquor has been recovered from a strange place and nobody was apprehended and the name of the petitioner has been figured in this case only by virtue of the statement of the co-villagers and local persons. Counsel



further submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him and the said criminal case has been lodged on 14.07.2024 i.e. after lodging the present case. Counsel further submits that prior to lodging of the present case, the criminal antecedent of the petitioner was clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that prior to lodging of the present case, the criminal antecedent of the petitioner was clean.

6. As such, considering the aforesaid 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 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court-2, Nawada in connection with Excise P.S. Case No. 440 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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