

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78592 of 2024

Arising Out of PS. Case No.-484 Year-2024 Thana- HISUWA District- Nawada

Sanjay Yadav @ Sanjay Kumar, S/o Shyam Yadav, R/o Village- Sartakiya,
P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and Mr. Braj
Kishore Pd., learned APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Hisua P.S. Case No. 484 of 2024 instituted for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the police has
secret information that Niraj Kumar, Babu Chand Yadav, Sanjay
Yadav, Ashok Yadav were bringing country made liquor on a
tempo. Two persons on a bike were going before the tempo. It is
said that tempo was being driven by Niraj Kumar. Niraj Kumar
managed to escape and from the tempo, 145 liters of country made
liquor was recovered. It has been alleged that the petitioner is one
of the person on the bike.

4. Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. He has no concerned with the alleged vehicle or liquor. Nothing has been recovered from his conscious possession.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner is having two criminal antecedents of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Hisua P.S. Case No.484 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No.I, Nawada, subject to the conditions as laid down under section 438(2) of the Cr.P.C. **with a condition that the petitioner will not indulge in similar nature of the cases in future.**

(Ashok Kumar Pandey, J)

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