

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80643 of 2024

Arising Out of PS. Case No.-527 Year-2024 Thana- BAKHTIYARPUR District- Patna

Napo Yadav @ Sanjeet Kumar S/o- Ram Nihori Yadav Village-Mishiw.No-13, Ps- Bakhtiyarpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 258.12 liters of foreign liquor is said to have been recovered from a Samudayik Bhawan. Petitioner is alleged to be the custodian of Samudayik Bhawan. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The place of recovery is a government property. The allegation against the petitioner that he is the custodian of



key of Samudayik Bhawan is completely false and baseless because petitioner has no authority to keep the key of Samudayik Bhawan. It is further submitted that petitioner is not the owner of the seized motorcycle. Petitioner has three criminal antecedents and out of three two are for similar nature of the offence, as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Bakhtiyarpur P.S. Case No. 527 of 2024, subject to the condition as laid down under Section 482 (2) of the BNSS, subject to the further conditions that:



- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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