

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82058 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- PIPRASI District- West Champaran

Vinod Yadav @ Binod Yadav, Son of Sukhari Yadav @ Sukhdiya Yadav,
Resident of Village - Balua Dhor (Thori), P.S. - Nadi, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Anand, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Piprasi P.S. Case No.31 of 2024 instituted under Section
30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of
23.040 litres of illicit foreign wine from a motorcycle on which
two co-accused persons were riding who were apprehended and
disclosed the name of petitioner and co-accused Sandeep
Kushwaha that seized liquor was given to them by the petitioner
and co-accused Sandeep Kushwaha.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner has been made accused in this case only on the basis of disclosure statement of other co-accused persons. The petitioner was neither arrested on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner. The similarly situated co-accused person, namely, Sandeep Kushwaha @ Sandeep Kumar Kushwaha has already been granted anticipatory bail vide order dated 24.07.2024 passed in Cr. Misc. No.45415 of 2024. The petitioner has no criminal antecedent and he undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran / Concerned Trial Court in connection with Piprasi P.S. Case No.31 of 2024, subject to the conditions laid down in Section



438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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