

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82804 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- BENIPATTI District- Madhubani

Anil Kumar Yadav @ Dally Yadav S/o Late Nathe Yadav Resident of village-
Akaur, Police station- Benipatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending their arrest in connection with Bennipatti P.S. Case no. 274 of 2023 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 7.5 liters of illicit liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It has been argued by the



learned counsel for the petitioner that the house is joint one and that he does not reside on this house. It has further been argued by the learned counsel for the petitioner that though the seizure was made but nothing was recovered from the conscious possession of the petitioner.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner stating that the petitioner is having criminal antecedent of same 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 Benipatti P.S. Case no. 274 of 2023, 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 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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