

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83311 of 2023

Arising Out of PS. Case No.-577 Year-2022 Thana- ARA NAGAR District- Bhojpur

Anil Yadav @ Anil Kumar Yadav @ Gupta Yadav Son Of Late Tuntun Yadav
Resident Of Village - Moti Tola, Police Station - Ara Nagar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Ara Nagar P.S. Case No. 577 of 2022 dated 26.06.2022 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 594 grams of ganja was recovered from the bag of the petitioner and 50 litres of country-made wine and 25.105 litres of foreign liquor were recovered from the house of the co-accused. The apprehended person disclosed the name of the petitioner.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. Learned counsel has submitted that a separate case with regard to the NDPS Case has already been filed against the petitioner in which he was granted bail. It is further submitted that police has filed two different FIR against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur, Ara in connection with Ara Nagar P.S. Case No. 577 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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