

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83016 of 2024

Arising Out of PS. Case No.-569 Year-2024 Thana- Excise P.S. District- Darbhanga

Raj Kumar Yadav S/o Kari Yadav Resident of Village- Kharajpur, P.S.-
Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand

For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr.
Ramesh Chandra, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise Sadar P.S. Case No. 569 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 from a bike altogether 5.25 litres of foreign liquor was recovered.

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. It is also submitted that Rohit Kumar was also apprehended. During course of investigation, the name of this



petitioner has surfaced as he is the owner of the byke. It is further submitted that Rohit Kumar is his neighbor and has borrowed the bike for an emergency call. Petitioner is not concerned in any way with the alleged liquor.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

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 **with a condition that the petitioner shall not indulge in similar nature of cases in future**. 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 Excise Sadar P.S. Case No. 569 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 Special Judge 1st, (Excise Act), Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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