

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83363 of 2024

Arising Out of PS. Case No.-1151 Year-2024 Thana- MADHEPURA District- Madhepura

Lalit Kumar Yadav @ Lalit Yadav S/o- Dayanand Yadav R/o Village- Mahua
ward no 14 PS- Gheladh OP, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghaw Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-12-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Madhepura (Gheladh) P.S. Case no.1151 of 2024 registered for the offence punishable under sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received and a raid being conducted, it is stated that 380 bottles of 100 ml. each of cough syrup was recovered and while one accused namely Avinash Kumar Yadav was caught at the place of occurrence, the other accused managed to escape. The accused who was caught disclosed that the person who



managed to escape was the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on the basis of the statement of a co-accused made before police. No incriminating article has been recovered from his possession. The petitioner has no concern with the seized article nor with the vehicle from which the alleged article is said to have been recovered. He has no criminal antecedent and undertakes to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession, the petitioner not having any concern with the vehicle from which the article is said to have been seized and specially the petitioner having no antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madhepura (Gheladh) P.S. Case no.1151 of 2024 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge V-cum-Special Judge, Excise Court I, Madhepura.

(Partha Sarthy, J)

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