

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85723 of 2023

Arising Out of PS. Case No.-107 Year-2021 Thana- JANKINAGAR District- Purnia

Prakash Yadav @ Prakash Kumar Yadav Son of Late Bijendra Yadav Resident
of Village - Tetarahi, Police Station- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 10-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code and Sections 30(a), 41 and 47 of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and allegation is of
recovery of 294.750 litres of liquor from a Safari vehicle parked
inside the house of Saurav Yadav.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the disclosure made by local person but then



the FIR does not disclose the name of the person who disclosed the name of the petitioner, which casts an aspersion on the case of the prosecution. It is next submitted that petitioner is neither the driver nor the owner of the seized vehicle and is in custody since 16-8-2023.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jankinagar P.S. Case No. 107 of 2021.

(Satyavrat Verma, J)

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