

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67529 of 2024

Arising Out of PS. Case No.-232 Year-2022 Thana- SAUR BAZAR District- Saharsa

Karn Kumar Raju @ Raja Yadav @ Raja Son of Vinod Kumar Yadav @
Binod Kumar Yadav Resident of Village - Diwani Tola, Ward No. 13, P.S. -
Madhepura, District- Madhepura Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 10-02-2025 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 his arrest in connection with Sour Bazar P.S. Case no. 232 of 2022 instituted for the offence under Sections 30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per allegation in the FIR, on getting secret information about an abandoned pick-up van near a brick-kiln, police team went there and on search 391.68 litres of IMFL was recovered and accordingly, seizure list was prepared.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has already sold the vehicle to one Manish Kumar before the occurrence, which was recovered at



the place of occurrence, and supportive document regarding sale is at Annexure-P/2. Petitioner has no concern with the alleged recovery of liquor or with the vehicle in question. There is no compliance of Section 100 Cr.P.C. while preparing the seizure list.

5. Learned APP appearing for the State has opposed the prayer of Bail.

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 Sour Bazar P.S. Case no. 232 of 2022, 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 Exclusive Special Judge, (Excise), Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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