

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75957 of 2024

Arising Out of PS. Case No.-222 Year-2021 Thana- SIKTI District- Araria

Sunil Yadav @ Sunil Kumar Yadav S/o Jageshwar Yadav R/o Village-
Gamharia, P.S.- Teragachh, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kundan Kumar Singh, Advocate
For the State	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 39.9 litres country made *Nepali* liquor has been recovered from a check-post.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on the allegation that the alleged seized articles belonged to this petitioner. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge (Excise) 2nd, Araria, in connection with Sikti P.S. Case No. 222 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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