

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12081 of 2015

Arising Out of PS.Case No. -58 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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1. Kuldeep Yadav @ Kuldeep Prasad Son of Mosafir Yadav Resident of
Village- Kaithir Tola, Chak par, P.s.- Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 30.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with G.O.
case no. 58/2011 registered under section 47A of the Excise Act.

Admittedly, alleged recovery has not been made either from
his house or from possession of the petitioner and said recovery is said
to have been made from **Adda** of the petitioner.

The contention on behalf of the petitioner is that place from
where said recovery has been made does not belong to the petitioner.

Taking note of the aforesaid facts and circumstances as well
as submissions of the parties and also keeping in mind that only
summon has been issued against the petitioner, this anticipatory bail
petition stands disposed of with direction to the petitioner to surrender
before the Chief Judicial Magistrate, Nawada/ concerned court in
connection with G.O. case no. 58/2011 within four weeks from the

date of receipt/production of a copy of this order and seek regular bail and if he does so, the concerned court shall pass appropriate order on regular bail application of the petitioner on the day of his surrender, particularly, keeping in mind that alleged recovery has not been made either from conscious possession of the petitioner or from his house.

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(Hemant Kumar Srivastava,J)

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