

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69466 of 2018

Arising Out of PS. Case No.-387 Year-2017 Thana- BIHPUR District- Bhagalpur

Kundan Yadav, Son of Koko Yadav, resident of Village- Madhurapur, P.S.-
Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bihpur (Bhawanipur) P.S. Case No. 387/2017 registered for the
offences punishable under Sections 30(A) and 38(A) of the
Bihar Prohibition and Excise Act, 2016.

The petitioner is named in the first information report
but, admittedly, the alleged recovery has not been made either
from the house of the petitioner or his conscious possession and
said recovery has been made from the house of other accused.
The informant claims that when he and other police personnel
had raided the house of Vinodanand Jha, they saw the petitioner
and other accused fleeing away. Save and except the aforesaid
materials, there is nothing against the petitioner. Moreover, the



petitioner does not have any criminal antecedents, which is evident from paragraph No. 3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Bhagalpur in Bihpur (Bhawanipur) P.S. Case No. 387/2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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