

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13426 of 2019

Arising Out of PS. Case No.-488 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

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Pawan Yadav @ Pawan Kumar Yadav, age about 21 years (M), Son of Ram
Jatan Yadav Resident of Village - Dhoi Navtoli, P.S.- Sadar, Distt -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with G.O. Case No. 1102 of 2018 / Sadar
P.S. Case No. 488 of 2018 registered for offences under sections
30(a) of the Bihar Excise Amendment Act.

As per allegation, when the Chowkidar tried to stop
the petitioner who was riding the motorcycle and carrying a bag,
he threw the same and fled away. From the bag, 17 bottles of
375ml, total 6.375 liters of foreign liquor was recovered.

The petitioner has got no criminal antecedent.

Looking to the quantity of liquor recovered as also
the entire facts and circumstances of the case, let the petitioner,
above named, in the event of his arrest or surrender before the



court below within a period of four weeks from today, be released 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 District Judge, 5th cum Special Judge (Excise Act), Darbhanga in connection with G.O. Case No. 1102 of 2018 / Sadar P.S. Case No. 488 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 2.3.2019, then he would not be released.

(Shivaji Pandey, J)

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