

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25754 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- AMAS District- Gaya

Upendra Yadav, aged about 34 years, Male, Son of Somar Yadav Resident of
Village- Sawan Kala, Barki, Sawo, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Amas P.S. Case No. 52 of 2019
registered for offences under sections 272, 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2016.

As per prosecution story, 15 liter of Mahua liquor
has been recovered from one Raju Manjhi.

Learned counsel for the petitioner submits that the
petitioner has no concern with the recovered Mahua liquor as
also he was not present at the place of occurrence. He further
submits that the petitioner has no criminal antecedent.

Looking to the quantity of illicit liquor recovered,



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 Special Excise Judge, Gaya in connection with Amas P.S. Case No. 52 of 2019, 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. 19.4.2019, then he would not be released.

(Shivaji Pandey, J)

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