

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21222 of 2020**

Arising Out of PS. Case No.-92 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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AKHILESH KUMAR YADAV Son of Suraj Prasad Yadav Resident of Village
- Lerua, Tejpurwa, P.S. - Marhowrah, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Ram Sewak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 14-10-2020 Heard learned counsel for the petitioner and Mr. Ram
Sewak Choudhary, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail
in connection with Excise Case No.92 of 2020 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Earlier on noticing the contention of learned counsel for
the petitioner that he was not on the vehicle in question when the
same was intercepted by police and the vehicle was sold to one
Himanshu Kumar, this Court had called for a verification report from
the S.H.O., Avtarnagar police station which is available on the record
at Flag 'B'. In course of verification, it has been found that
Himanshu Kumar, son of Vishwamohan Kumar, R/O village-
Kamalpur, P.S.-Avtarnagar, District-Saran is a permanent resident of



the said village.

Learned APP for the State submits that the vehicle in question is still registered in the name of petitioner though when it was intercepted the petitioner was not there and he has not been seen fleeing away after leaving the vehicle, this being the position, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

Let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Excise Case No.92 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

