

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1785 of 2022

Arising Out of PS. Case No.-150 Year-2020 Thana- FULKAHA District- Araria

DEVENDRA KUMAR YADAV Son of Mohan Lal Yadav Resident of Milki
Dumariya Bhanghi, P.S. - Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

Allegation is of recovery of 51 litres of liquor from a sack which was kept on the motorcycle of the petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession. Learned counsel further submits that petitioner had already sold the motorcycle as would be evident from Annexure-2 to the anticipatory bail application, as such, he was not present when the alleged



recovery was made.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 1029 of 2020 arising out of Fulkaha P.S. Case No. 150 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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