

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1786 of 2022**

Arising Out of PS. Case No.-48 Year-2021 Thana- DEO District- Aurangabad

GUDDU YADAV S/o Mohan Yadav R/o village- Harikirtan Bigha, P.S.- Deo,
District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, 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 (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner has antecedent of five cases out of which three cases are under the Excise Act.

Allegation is of recovery of 75 liters of liquor from the back side of the house of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He was not arrested from the place of occurrence, as such, nothing was recovered from his conscious possession. It is next submitted that the back side of the house of the petitioner is a



vacant land and, as such, he was completely unaware that who had kept the liquor on the vacant land which was behind the house of the petitioner. It is next submitted that the petitioner came to be implicated by the police merely because he has antecedent under the Excise Act.

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.10,000/- (Rupees Ten 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 Deo P.S. Case No. 48 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

