

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6186 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- JAYNAGAR District- Madhubani

SHAMBHU KUMAR YADAV S/O DEVENDRA PRASAD YADAV R/o
village- Tedha, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 90 litres of liquor from the courtyard of petitioner's house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession. It is next submitted that nothing was recovered from the house of the petitioner rather the alleged recovery was made from a place behind the house of the petitioner but the police falsely



implicated alleging that the said recovery was from the courtyard of the petitioner, it is next submitted that even presuming what has been alleged is true, without admitting for the purposes of anticipatory bail, then the house is a joint family property and as such it cannot be alleged with certainty that the petitioner was aware that the liquor was kept in the house.

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 and the fact that the petitioner is a person with clean antecedent, 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. 2,000/- (Rupees Two 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 Jaynagar P.S. Case No. 59 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

