

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10119 of 2022

Arising Out of PS. Case No.-292 Year-2021 Thana- PHULWARIYA District- Gopalganj

VIKASH YADAV S/O TUFANI YADAV R/o village- Rajpur (Sripur O.P.),
P.S.- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 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 under Sections 30(a) and 30(b) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

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

Allegation is of recovery of 432 litres of liquor from the Honda City Car and it is alleged that the accused on seeing the police managed to escape. Further, it is alleged that the accused persons were identified by the police in torch light.

Learned counsel for the petitioner further submits that admittedly the petitioner was not apprehended from the place of occurrence, as such, nothing was recovered from the conscious possession of the petitioner. It is next submitted that petitioner is



neither the owner nor the driver of the vehicle and has been falsely implicated in the present case reasons best known to the informant.

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.5,000/- (Rupees Five 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 Phulwariya P.S. Case No. 292 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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