

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11981 of 2022

Arising Out of PS. Case No.-386 Year-2021 Thana- BARAULI District- Gopalganj

Biru Yadav @ Jamuna Yadav, Son Of Babulal Yadav R/O - Durg Matihviya,
P.S.- Vishambharpur, District- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 The learned counsel for the petitioner is permitted to make rectification in the prayer portion of the anticipatory bail application as it is submitted that inadvertently in the prayer portion, it has been typed as Barauli Nishamfherpur Police Station instead of Barauli Vishambharpur Police Station.

Permission is accorded with a direction to the petitioner to remove the same within a period of two weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 414/34 of the Indian Penal Code and Section 30(a) of the Excise Act, 2018.



The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 16.200 litre of liquor from two motorcycle i.e. 8.100 litre each.

The learned counsel for the petitioner submits that petitioner was not apprehended from the spot and as such, nothing was recovered from his conscious possession. It is next submitted that petitioner is neither the owner, nor the driver of the vehicle and his name transpired in the confessional statement of co-accused Vijay Kumar, which has no evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a man of 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barauli Vishambharpur P. S. Case No.386 of



2021, subject to the conditions laid down under Section 438(2)
of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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