

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13362 of 2022

Arising Out of PS. Case No.-550 Year-2021 Thana- MAJHAULIA District- West Champaran

Rambabu Yadav @ Ram Babu Yadav S/O Shri Bhagwan Yadav @ Bhagwan
Yadav R/O Village- Paswan Tola, Chowk, P.S.- Majhauriya, District- West
Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 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 Sections
30(a), 38 and 41 of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 55 litre of spirit from the house of Phool Mohammad
Ansari.

The learned counsel for the petitioner submits that
admittedly, petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession, nor the
recovery from his house. It is submitted that his name transpired



in the confessional statement of Phool Mohammad Ansari,
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, 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.
5,000/- (Rupees Five Thousand) with two sureties of the like
amount each to the satisfaction of learned Court below where
the case is pending in connection with Majhauriya P. S. Case
No.550 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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