

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13325 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- FULKAHA District- Araria

Sanjay Yadav @ Sanjay Kumar, Son Of Umesh Yadav R/O Village- Narha,
P.S.- Raghapur, District- Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

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), 41(1) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 405 litre of liquor from Mahendra XUV.

The learned counsel for the petitioner submits that
petitioner was not apprehended from the spot, as such, nothing
was recovered from his conscious possession. It is next
submitted that the name of the petitioner transpired in the
confessional statement of driver of the vehicle, which has no
evidentiary value. It is further submitted that the police falsely



implicated the petitioner by alleging that his name was disclosed by the driver when in the investigation, nothing has come to even remotely connect the petitioner with the driver of the vehicle.

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. 3,000/- (Rupees Three Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Fulkaha P. S. Case No.84 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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