

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14454 of 2022

Arising Out of PS. Case No.-321 Year-2020 Thana- NAUTAN District- West Champaran

BHOLA YADAV S/O RAMASHISH YADAV R/o village- Budhwaliya, P.S.-
Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30 and
30(a) of the Bihar Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 5.460 litres of liquor from
a bag of co-accused who fled away from the spot and 86.745
litres of liquor from the house of Anirudh Yadav and Bhola
Yadav.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot, as such, nothing



was recovered from his conscious possession. He further submits that from perusal of the seizure list, it would manifest that the recovery was made from the house of Anirudh Yadav and petitioner is the fullbrother of Anirudh Yadav and lives separately. He also submits that merely because the petitioner is the fullbrother of Anirudh Yadav, as such, he has also been implicated in the present case.

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.2,000/- (Rupees Twi 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 Nautan P.S. Case No. 321 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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