

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22377 of 2022

Arising Out of PS. Case No.-391 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

RAMBABU YADAV Son of Late Gariba Yadav Resident of village - Masharh
Ke Tola, P.S.- Udwant Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2022 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases.

Allegation is of recovery of 40 litres of liquor and thousands Kg. of Mahua pass from the bank of Banas River. It is next alleged that local Chawkidar recognized the petitioner who fled on seeing the police force.

Learned counsel for the petitioner submits that admittedly the petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that even recovery was from a public place i.e.



from the bank of river Banas and the Chawkidar falsely implicated the petitioner because of his antecedent.

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 Two 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 Udwant Nagar (Gajrajganj O.P.) P.S. Case No. 391 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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