

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42198 of 2022**

Arising Out of PS. Case No.-1248 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

Sudhir Kumar Yadav Son of Dev Krishna Yadav Resident of village - Gohilya
Ward No. 16, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

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

Allegation is of recovery of 158.04 litre of liquor from
a car.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. He further submits



that petitioner is neither the owner nor the driver of the car and came to be implicated based on a confessional statement of Vikash Kumar which has no evidentiary value in the eye of law.

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.10,000/- (Rupees Ten 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 P.R. Case No. 25 of 2021 arising out of Excise Case No. 1248 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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