

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41311 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- PIPRAKOTHI District- East Champaran

DHARMENDRA YADAV @ DHARMENDRA KUMAR S/o Late Shivnath
Yadav R/o village- Pakadi Mahuawa, P.S.- Piprakothi, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 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 offences punishable under Sections 188, 420, 414 and 34 of the Indian Penal Code and Sections 30(a), 41(i) and 45 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 153 liters of liquor from three motorcycles and from the poultry farm of Dharmendra Yadav and petitioner.

Learned counsel for the petitioner submits that



the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is also submitted that he came to be implicated based on secret information which is the easiest way to implicate an innocent person when admittedly petitioner is a person with clean antecedent, it is also submitted that one of the motorcycles belongs to the petitioner but then no prudent man would use his own vehicle for committing a crime and thus create evidence against himself. Learned counsel next submits that alleged recovery is from a place behind the poultry farm of the petitioner and he came to be implicated as the recovery was made from a place adjacent to his poultry farm.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piprakothi P.S. Case No. 162 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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