

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42470 of 2022**

Arising Out of PS. Case No.-32 Year-2022 Thana- ANDHRAMATH District- Madhubani

Sanjay Yadav @ Sanjay Kumar Yadav S/O Bhola Yadav Resident of Village-  
Rauahi, Ward No- 5, P.S.- Andhramath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, 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 offences punishable under Sections 272, 273  
of the Indian Penal Code read with Section 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 60 litre of liquor from a  
motorcycle.

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 the owner of the motorcycle as pleaded in para 14 of the anticipatory bail application but in para 15 of the anticipatory bail application it is pleaded that petitioner is not the owner of the motorcycle, as such, in view of the confusing pleadings made by the learned counsel for the petitioner, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Hence, prayer for anticipatory bail is refused in connection with Andhramath P.S. Case No. 32 of 2022 pending in the Court of learned Special Judge, Excise Act, Jhanjharpur, Madhubani/successor Court.

In the event, if the petitioner surrenders on or before 15.09.2022, the learned trial court shall dispose of the prayer for regular bail on the same day keeping in mind that petitioner is a person with clean antecedent and nothing was recovered from his conscious possession nor he was present at the place of occurrence.

**(Satyavrat Verma, J)**

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