

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52472 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- BAIRIYA District- West Champaran

PAWAN YADAV @ PAWAN KUMAR S/O HARI SHANKAR YADAV
RESIDENT OF VILLAGE- PHULJHARIA, P.S.- BAIRIYA, 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. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

Allegation is of recovery of 145.08 litres of liquor
from a motorcycle and 60.75 litres of liquor from a sack thrown
at the bank of a river behind the house of co-accused Subhash
Yadav, as such, total recovery is 205.83 litres of liquor.

Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. Learned counsel further submits that petitioner is neither the owner nor the rider of the alleged motorcycle and some part of the recovery from a place which is accessible to public at large and he came to be implicated at the instance of the Chawkidar with whom he is on an inimical term.

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 Bairiya P.S. Case No. 206 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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