

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59314 of 2022**

Arising Out of PS. Case No.-17 Year-2022 Thana- RAJAOLI District- Nawada

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GUDDU KUMAR @ GUDDU YADAV @ AYUSH RAJ Son of Mahesh  
Yadav @ Maheshwari Yadav @ Maheshwar Prasad Yadav Resident of Village  
- Dularpur, P.s.- Rajouli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate  
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

2      15-11-2022                      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 30(a) and 41 of the Bihar Excise Act and Section 414 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 50 litres of liquor loaded on a motorcycle.

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 further submitted that petitioner is neither the owner nor the driver of



the alleged motorcycle and he came to be implicated based on the confessional statement of Shiv Shankar Kumar which does not have any evidentiary value.

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. 15,000/- (Rupees Fifteen 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 Rajouli P.S. Case No. 17 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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