

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62865 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- ROSERA District- Samastipur

Rakesh Yadav @ Rakesh Kumar Yadav S/O Bindo Yadav Resident Of
Village- Dhattha Ward No- 06, P.S.- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 272, 273/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 15 litres of Indian made
foreign liquor from a motorcycle and one person was
apprehended who disclosed his name as Chandan
Kumar. He named the petitioner as a person who fled
away from the place of seizure.

It is submitted by learned counsel for the



petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The seized motorcycle does not belong to the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No. 1, Samastipur in connection with Rosera P.S. Case No. 120 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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