

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68265 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- RAGHUNATHPUR District- Siwan

Naresh Yadav @ Pappu Yadav, Son Of Baliram Yadav R/O Village - Kausar,
P.S.- Raghunathpur, District - Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 77.760 litres of liquor from Balram Yadav's hut like Palani.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that even alleged recovery is from a place which does not belong to the petitioner and he came to be implicated in the confessional statement of Balram Yadav, who is his father. It is next submitted that petitioner



was completely unaware that his father had kept liquor in the house. It is next submitted that petitioner did not have knowledge of liquor being kept in the house.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Raghunathpur P. S. Case No.83 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent even of one case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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