

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65540 of 2022**

Arising Out of PS. Case No.-298 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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SANTOSH KUMAR YADAV @ SANTOSH KUMAR SON OF DUKHAN
YADAV R/O- KOTWALI CHOWK, WARD NO. 26, BHOWARA, P.S.-
TOWN, DISTT.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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

2 06-12-2022 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 and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

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

Allegation is of recovery of 2.34 litres of liquor from a plastic
bag which was thrown by a person riding Scooty on the road.

Learned counsel for the petitioner submits that petitioner has
been falsely implicated the present case. It is further submitted that even
the Scooty was not seized. It is further submitted that it absolutely does not
stand to reason that why a person would use his own vehicle for
committing an occurrence and thus would create evidence against himself.



It is next submitted that since petitioner has antecedent of one case, as such, he came to be implicated on the ground that he is owner of the Scooty.

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 Town P.S. Case No. 298 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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