

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65282 of 2022

Arising Out of PS. Case No.-488 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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RAJESH YADAV @ RAJESH KUMAR YADAV S/o Late Ramnath Thakur
R/o Village- Manikpur Tola, Nauranga, PO and P.S.- and Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), and
41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 108.4 litres of liquor near the hut of Ramnath Yadav
and 7 litres of liquor behind Sandeep Tent House.

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 next
submitted that even alleged recovery is from a place which does



not belong to the petitioner, it is further submitted that petitioner came to be implicated at the instance of local chawkidar and spy. The learned counsel for the petitioner next submits that chawkidar and spy with a view to save the real culprits falsely implicated the petitioner when admittedly he has a person with clean antecedent.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gopalganj P.S. Case No. 488 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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