

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67582 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- MANJHAGARH District- Gopalganj

BHOLA YADAV SON OF SURENDRA YADAV R/O VILLAGE-
DHARAM PARSA, P.S.- MANJHAGARH, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 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 414 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of five cases and allegation is of recovery of 223.24 liters liquor from a silver car.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to implicated based on confessional statement of Santosh Yadav in police custody which does not have any evidentiary value, it is also submitted that thereafter local people and *Chowkidaar* also took his name but then the name of local people



is not disclosed and with *Chowkidaar*, he is on an inimical term, it is next submitted that petitioner is neither the owner nor the driver of the alleged vehicle.

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 *Chowkidaar* 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manjhagarh P.S. Case No. 217 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and in the event, if it is found that petitioner has criminal antecedent of more than five cases, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

Rishi/Shubham/-

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