

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70308 of 2022

Arising Out of PS. Case No.-439 Year-2021 Thana- RAJAOLI District- Nawada

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DINESH YADAV Son of Chamari Yadav R/o Village - Lohshinghna, P.S.-
Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner has antecedent of five cases and allegation is of recovery of 50 liters of liquor from the bushes near a graveyard and 2000 liters of soaked Mahua which was destroyed at the spot.

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 he came to be implicated at the instance of *Chowkidar* and anonymous people, it is further submitted that *Chowkidar*



implicated him because of his antecedent with a view to save the real culprits.

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. 25,000/- (Rupees Twenty Five Thousand) each 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 Rajaoli P.S. Case No. 439 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, 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 of more than five cases then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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