

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70091 of 2022**

Arising Out of PS. Case No.-226 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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PANKAJ YADAV Son of Suresh Yadav @ Suresh Prasad Yadav Resident of
Village - Mastanganj, P.S.- Akbarpur in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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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)(c)
and 45 of the Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 90 litres liquor and 1200 litres jawa mahua jaggery
(destroyed at the spot) from east side of Mastanjganj Canal.

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 the alleged recovery is from a place which is



accessible to public at large and he came to be implicated based on the information provided by anonymous villagers.

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. 1,000/- (Rupees One 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 Excise P.S. Case No. 226 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 if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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