

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71499 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- ATRI District- Gaya

GAURI SHANKAR KUMAR @ VIDYARTHI YADAV Son of Late Lila
Yadav R/v- Chahal Mudera, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 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 272 and 273 of the Indian Penal Code and Section 30(a)(d) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 50 liters of liquor from bank of river Paimar and 3000 liters of Mahua Jaggery solution which was destroyed at the spot.

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 the alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of the Chowkidar with whom he is on an inimical term.



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. 20,000/- (Rupees Twenty 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 Atri P.S. Case No. 415 of 2021 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 of more than four cases, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

HarshPandey/-

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