

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19797 of 2023

Arising Out of PS. Case No.-313 Year-2022 Thana- BARACHATTI District- Gaya

UDAY KUMAR @ UDAY YADAV Son of Ishwar Yadav R/V- Mushaina P.S.
- Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner submits that the defects, as pointed out by the office, shall be removed within a period of two weeks from today.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 200 Kg. of Mahua Flower from the backside of the house of the petitioner along with 15 litres of fermented 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 and even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated merely because the place from where the recovery was made was adjacent to the house of the petitioner.

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 Barachatti P.S. Case No. 313 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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