

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15760 of 2023

Arising Out of PS. Case No.-645 Year-2021 Thana- KATIHAR NAGAR District- Katihar

SUNIL KUMAR YADAV S/O MANNU PRASAD YADAV R/O VILLAGE-
BABU TOLA IDGAH ROAD, P.S AND DISTRICT- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Ms. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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) and 32(a) of the Bihar Excise Act and under Sections of 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1200 KG of Nausadar from a Bolero vehicle.

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 he came to be implicated on the ground that he is owner of the vehicle, further submitted that the petitioner had



already sold the vehicle prior to the occurrence as would be evident from Annexure-2, it is next submitted that no prudent man would use his own vehicle for committing a crime and thus would get easily implicated when admittedly petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One 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 Katihar Nagar P.S. Case No. 645 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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