

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17286 of 2023**

Arising Out of PS. Case No.-222 Year-2022 Thana- SAHARGHAT District- Madhubani

KRISHNA YADAV @ KISHAN KUMAR Son of Abodh Yadav R/V- Kerwa
P.S- Saharghat, Dist- madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-05-2023 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 Section 30(a) of the Bihar Excise Act and Sections 272, 273 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 297 liters of liquor recovered from motorcycle and two scooty as detailed in the FIR.

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 it is alleged that one of the motorcycles belongs



to the petitioner which he disputes, it is further submitted that no prudent person would use his own motorcycle for committing an illegality leading to implication.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saharghat P.S. Case No. 222 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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