

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21249 of 2023**

Arising Out of PS. Case No.-59 Year-2023 Thana- KATEYA District- Gopalganj

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BHOLA @ SURENDRA YADAV SON OF MOGAL YADAV @ MANGAL  
YADAV RESIDENT OF VILLAGE - SAHEBGANJ DERAWA, P.S. -  
GOPALPUR, DISTT. - GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deepankar Raj

For the Opposite Party/s : Mr. Asha Kumari

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

2      15-05-2023                      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.

Learned counsel for the petitioner submits that the  
petitioner has antecedent of one case and allegation is of  
recovery of 552.6 liters of liquor recovered from two Maruti  
cars and the accused persons were apprehended who disclosed  
that one of the car belongs to the petitioner.

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 no prudent person would use his own vehicle for committing a crime and thus would get implicated easily. It is next submitted that the petitioner's friend, Bhupendra, had taken his car and, as such, the petitioner was not aware that Bhupendra would misuse the vehicle in the manner as alleged.

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) 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 Kateya P.S. Case No. 59 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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