

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23009 of 2023

Arising Out of PS. Case No.-611 Year-2022 Thana- NAUTAN District- West Champaran

GHUIEL YADAV @ BHUIEL YADAV son of Belash Yadav VILLAGE-
SHIVRAJPUR POLICE STATION- NAUTAN DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Arvind Kumar Pandey

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 414 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 63.890 liters of liquor from different vehicles.

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 petitioner came to be implicated based on the confessional statement of co-accused Nand Lal Yadav in police custody which does not have any evidentiary value, it is also submitted that the petitioner is not the owner of the alleged seized vehicle.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner and submits that no pleadings which has been said has been made in the bail application that petitioner is not the owner of the vehicle.

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 Nautan P.S. Case No. 611 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify whether any of the vehicle seized belongs to the petitioner or not and in the event, if it is found that any one of vehicle belongs to the petitioner, then the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

HarshPandey/-

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