

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22823 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- PATORI District- Samastipur

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VIJAY KUMAR YADAV SON OF MISHRI RAI RESIDENT OF VILLAGE-
HARDASPUR PRESENTLY RESIDENT AT MOHANPUR , PATTHAR
GHAT, PS- PATORI, (MOHANPUR OP) DISTT- SAMSTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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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 is a person with clean antecedent and allegation is of
recovery of 10 liters of liquor from a semi constructed house of
petitioner kept in a polythene.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession, it is next submitted
that no one was staying in the house and thus was accessible to



villagers at large and the petitioner came to be implicated based on secret information which is the easiest way to implicate someone, when admittedly the 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 Patori P.S. Case No. 402 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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