

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26569 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- PARANDABAR District- Nawada

UDAY PRASAD @ UDAY PRASAD YADAV Son of Basudev Yadav @
Basdeo Resident of village - Bairia Tand, P.S. - Sirdala, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 6.75 liters of liquor from a motorcycle.

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 he came to be implicated as he is the owner of the motorcycle, it is further submitted that no prudent person would use his own vehicle for committing a crime and thus



would get implicated when, admittedly, petitioner is a person with clean antecedent, it is next submitted that the petitioner had parked his motorcycle and had gone to a shop and it appears that in the meantime, someone kept the liquor on the motorcycle.

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 Parnadabar P.S. Case No. 25 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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