

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29413 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- MADANPUR District- Aurangabad

ABHILESH YADAV @ AMILESH YADAV Son of Mahendra Yadav
Resident of village - Madhokhap, P.S. - Madanpur, Distt. - Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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).
34/36 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with two antecedent and allegation is of
recovery of 35 liters of spirit form a car.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, and he came to be
implicated based on confessional statement of co-accused in
police custody which does not have any evidentiary value and is



not the owner of the seized vehicle. It is next submitted that petitioner because of his antecedent came to be implicated.

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. 10,000/- (Rupees Ten 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 Madanpur P.S. Case No. 97 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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