

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27483 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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PRABHU YADAV @ DEEPAK KUMAR Son of Late Nebi Yadav Resident
of Village - Sukan Tota, Vishnupur, Ward No.- 43, P.S.- Town (Begusarai),
District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastwa, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 141.120 litres of liquor
from the house of Prabhu Yadav i.e. the petitioner.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that no doubt the premise in question belongs to the petitioner but
then the same was given on rent to one Karamshil Kumar on
11.10.2023 and the present FIR came to be instituted on



15.02.2023. Learned counsel next submits that no prudent person would use his own premise for committing a crime and thus would create evidence against himself and, hence, would get implicated. It is thus submitted that the petitioner was completely unaware that the tenant would misuse the premise in the manner as alleged in the FIR when admittedly 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 Court below 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 court below where the case is pending/successor court in connection with Excise P.S. Case No. 56 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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