

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27808 of 2023

Arising Out of PS. Case No.-319 Year-2022 Thana- JOKIHAT District- Araria

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Anil Yadav Son Of Rizal Yadav Village- Birpur Chowk Pokharia, Ps-
Ranipatra, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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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 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 54.69 litres of liquor from an auto and 1.8 litres 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 and he came to be implicated being owner of the seized auto, it is further submitted that no prudent person would use his own vehicle for



committing a crime and thus would create evidence against himself and hence would get implicated, it is next submitted that auto is his source of livelihood and he was completely unaware that the driver of the vehicle would misuse the vehicle in the manner as alleged in the FIR.

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 Jokihat (Mahalgaon) P.S. Case No. 319 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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