

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30642 of 2023

Arising Out of PS. Case No.-435 Year-2021 Thana- ATRI District- Gaya

Shivjee Yadav Son Of Late Kirty Yadav @ Late Kirty Yadav Resident Of
Village - Chahal Mudera, P.S. - Atri, District - Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272
and 273 of the I.P.C. and Sections 30(a)(d) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 400 litres of liquor solution found near a river.

The 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 next submitted
that even the alleged recovery is from a place, which is
accessible to public at large and does not belong to the petitioner
and he came to be implicated by the Chaukidar with whom, he



is on an inimical term because of his antecedent.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Gaya in connection with Atri P. S. Case No.435 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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