

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29372 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Rakesh Yadav son of Hareram Yadav Village- Sarsar Pachhim Tola, Ps- Siwan
Mufassil Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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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) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with four antecedent and allegation is of recovery of 369 liters of liquor from a temporarily constructed house of North Eastern Railway where Pappu was arrested.

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 even alleged recovery is from a place which



belongs to the government and the petitioner came to be implicated based on confessional statement of Pappu. The learned counsel submits that police deliberately implicated the petitioner through Pappu because of his antecedent in order to save real culprit, when admittedly alleged recovery is from a temporarily constructed house of North Eastern Railway.

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. 25,000/- (Rupees Twenty Five 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 Excise P.S. Case No. 351 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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