

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29786 of 2023

Arising Out of PS. Case No.-17 Year-2017 Thana- JOGBANI District- Araria

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KHURPA YADAV @ RAMDEV YADAV @ KHURPU YADAV Son of Kailu
Yadav Resident of Village - Budhnagar, P.S.- Farani, District - Morang
(Nepal) and at present Resident of Village - Hatheva Kushmaha, Ward No.- 1,
P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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 Sections 30 and 38
of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 33 liters of liquor from a T.V.S. motorcycle, 33 liters
of liquor along with 5 bottles of liquor from another motorcycle
and further altogether 4 vehicles were seized.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be



implicated based on suspicion and it is asserted that none of the seized motorcycles belongs to the petitioner. It is further submitted that because of his antecedent, he 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jogbani P.S. Case No. 17 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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