

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30198 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- HARLAKHI District- Madhubani

1. Suraj Yadav Son Of Suvansh Yadav R/O-Manoharpur, P.S.-HARLAKHI, Distt.-MADHUBANI
2. Vikash Yadav @ Vikash Kumar Son Of Shivjee Yadav R/O-Manoharpur, P.S.-HARLAKHI, Distt.-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1 (Suraj Yadav).

Permission is accorded.

Accordingly, the present anticipatory bail application with respect to petitioner no.1 is dismissed as withdrawn.

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 272, 273 and 34 of the Indian Penal Code read with 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 414 litres of liquor from a place near a pond concealed in straw and further a motorcycle was also seized from the place of occurrence.

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 at the instance of villagers but then the FIR does not disclose the name of the villagers which creates doubt with regard to the veracity of the allegations as alleged in the FIR, it is next submitted that petitioner is not the owner of the land or the motorcycle.

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 namely, Vikash Yadav @ Vikash Kumar, 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
Harlakhi P.S. Case No. 60 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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