

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31321 of 2023

Arising Out of PS. Case No.-96 Year-2017 Thana- MAGADH UNIVERSITY District- Gaya

Purusottam Yadav @ Purushottam Yadav Son Of Ramchandra Yadav @
Chandra Yadav Village- Bariya Ps-Dobhi Dist-Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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 414
and 34 of the I.P.C. and Sections 30(d) and 32(2) of the Excise
Act, 2016.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 40-45 kgs. of mahua flower from an auto.

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 petitioner, being the owner of the auto, came to be
implicated. It is next 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 also submitted that petitioner was completely unaware that the driver would misuse the vehicle in the manner as alleged, when it is the only source of his livelihood.

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.01, Gaya in connection with Magadh University (M.U.) P. S. Case No.96 of 2017, 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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