

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31618 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- NTPC KHAIRA District- Aurangabad

SATISH YADAV @ SATISH KUMAR Son of Ram Lakhan Yadav R/O
Village - Noanv @ Nuav, P.S.- Obra, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 has antecedents of eleven cases and allegation is of recovery of 302.4 liters of liquor from a car and Jang Bahadur Singh and Lallu were arrested and disclosed that the car belongs to Sukhan Yadav and further stated that Sukhan and the petitioner were moving ahead giving directions.

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 the name of the petitioner transpired in the confessional statement of co-accused in police custody which does not have any evidentiary value, it is next submitted that the petitioner, because of his antecedent, got implicated by the police through the apprehended accused.

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. 40,000/- (Rupees Forty 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 NTPC Khaira P.S. Case No. 45 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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