

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33575 of 2023

Arising Out of PS. Case No.-797 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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BANTI YADAV Son of Vidyanand Yadav Resident of village - Masuria, Ward
No.- 18, P.S.- Sarsi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 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 offence punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and allegation is of
recovery of 39 liters of liquor from a Bolero vehicle.

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 he came to be implicated based on confessional
statement of Pankaj Kumar in police custody which does not



have any evidentiary value, it is further submitted that police got him implicated in the case through Pankaj because of his antecedents, when admittedly petitioner is not even the owner of the vehicle in question.

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. 15,000/- (Rupees Fifteen 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 K. Nagar (Champa Nagar) P.S. Case No. 797 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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