

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32764 of 2023

Arising Out of PS. Case No.-538 Year-2018 Thana- KADAMKUAN District- Patna

CHHOTU KUMAR YADAV @ ANKIT KUMAR @ CHHOTU KUMAR
Son of Sri Shiv Shankar Yadav @ Shankar Yadav Resident of R K Lane,
Langartoli Gali, Bankipur, P.S.- Kadamkuan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 antecedent of one case and allegation is of recovery of 4.125 liters of liquor from a 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 even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated by local people but then



the FIR does not records the name of the local people who disclosed the name of the petitioner which creates doubt with regard to the veracity of the allegations as alleged in the FIR.

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 Kadamkuan P.S. Case No. 538 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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