

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33045 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Deepak Yadav @ Deepak Kumar Deep Son of Dinesh Prasad Yadav @
Dinesh Yadav Resident of Village- Bari Jana PS- Khodawndpur, (Chaurahi
O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Ms. Rina Sinham, APP

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 offences punishable under Sections 120(B), 420, 467, 468 and 471 of the Indian Penal Code read with Sections 30(a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 1765.440 litres of liquor from a Tata 407 vehicle and one Balveer was arrested, further from him, mobiles were also recovered.

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 based on the fact that one of the mobiles recovered from Balveer belongs to the petitioner, it is further submitted that mobile of the petitioner was lost on 03.02.2023 for which he had registered a *Sanha* with Chaurahi O.P. on 11.02.2023 itself and the present FIR came to be instituted on 23.02.2023. It is thus submitted that it appears that the stolen mobile was with the arrested accused with whom the petitioner has no concern and since petitioner has antecedent, that gave an opportunity to the police to implicate him without investigating the case properly.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Khodawandpur (Chhaurahi O.P) P.S. Case No. 53 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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