

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33585 of 2023

Arising Out of PS. Case No.-348 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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SHANKAR YADAV @ SHANKAR KUMAR YADAV Son of Srichand
Yadav Resident of village - Rajapakhar, P.S. - Barari, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, 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 is a person with clean antecedent and allegation is
of recovery of 40 liters of liquor found at the door of the
house of the petitioner and 158.40 liters of liquor found
near the campus of the petitioner's house

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 even the alleged recovery is shown at the door of the house and near the campus of the house of the petitioner which amply demonstrates that the petitioner has been made a scapegoat when admittedly the alleged recovery is shown from a place near the door and near the campus of his house, it is next submitted no prudent person would keep liquor at such places which is visible to public at large, it is further submitted that petitioner is a person with clean antecedent and would not have used his own premises for committing a crime and thus would create evidence against himself and hence would get implicated easily,

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. 1,000/- (Rupees One 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
Katihar Excise Case No. 348 of 2022 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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