

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34114 of 2023**

Arising Out of PS. Case No.-12 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Madhepura

=====

KAPILDEV YADAV Son of Late Mohan Yadav Resident of Village-  
Raghunathpur, Ward No. 08, PS- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      20-06-2023                      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 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 158.625 liters of liquor from the straw house of the petitioner.

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 even the alleged straw house does not belong to the



petitioner and the police in mechanical manner implicated the petitioner when admittedly he is a person with clean antecedent.

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 Madhepura Excise P.S. Case No. 12 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Adnan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

