

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38219 of 2023**

Arising Out of PS. Case No.-192 Year-2021 Thana- KURSAKANTA District- Araria

AMOD YADAV Son of Maneshwar Yadav Resident of village - Mahisakol,
ward no. 06, P.S. - Araria, Distt. - Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

2 26-06-2023 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 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 54 liters of liquor from a motorcycle and 45 liters of liquor from another motorcycle.

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 petitioner being owner of one of the seized motorcycle came to be implicated, it is further submitted that no



prudent person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that Dheeraj would misuse the vehicle in the manner as alleged when petitioner admittedly 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 Kursakanta P.S. Case No. 192 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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