

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39507 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- JADOPUR District- Gopalganj

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OMPRAKASH YADAV SON OF LATE SHIVJEE YADAV RESIDENT OF
VILLAGE YADOPUR PURVARI PATTI P.S. YADOPUR @JADOPUR,
DISTT- GOPALGANJ , BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 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 17 liters of liquor from a 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 the petitioner came to be implicated as he is
owner of the seized vehicle, it is next submitted that no prudent



person would use his own vehicle for committing a crime and thus would create an evidence against himself and hence would get implicated, it is further submitted that the petitioner was completely unaware that Anil would misuse the vehicle in the manner as alleged as he was also apprehended.

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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Yadopur alias Jadopur P.S. Case No. 12 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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