

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45003 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- FATEHPUR District- Gaya

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RANJAN YADAV @ RANJAN KUMAR YADAV Son of Krishna Yadav @
Krishna Prasad Yadav R/o Village - Jorawarchak, P.S.- Fatehpur, District -
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 420.120 liters of liquor from a Tata Magic vehicle.

4. 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 he came to be implicated at the instance of
Chowkidar with whom he is on an inimical term, it is next
submitted that the petitioner is not the owner of the vehicle in
question.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no specific pleading has been made in the anticipatory bail application with regard to the ownership of the vehicle.

6. 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 Fatehpur P.S. Case No. 252 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court, before accepting the bail bonds, shall verify the ownership of the seized vehicle and in the event if it is found that the petitioner is the owner of the seized vehicle then in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

HarshPandey/-

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