

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53428 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- BELAGANJ District- Gaya

SANTOSH YADAV son of Satendra Yadav Village- Birbal Bigha Ps-
Belaganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-08-2023 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 Sections 30(c)(d) of
the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and allegation is of
recovery of 40 kg of jaggery from a field .
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated at the instance of the officials of the Department of
Excise, It is next submitted that it appears that the official, in
order to save the real culprits, falsely implicated the petitioner



because of his antecedent, when he is not the owner of the place from where the alleged recovery was made. It is also submitted that it is not the case of the prosecution that the jaggery found was fermented.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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. 15,000/- (Rupees Fifteen 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 Belaganj P.S. Case No. 43 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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