

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53397 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- LAUKAHI District- Madhubani

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MUKESH YADAV Son of Digambar Prasad Yadav Resident of Village-
Narhiya, P.S.-Narhiya O.P. (Laukahi), District-Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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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 279, 353,
307, 427, 272, 273 and 34 of the Indian Penal Code and under
Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of four cases.

4. The informant alleges that he received secret
information that the accused persons including the petitioners
were indulging in illegal trade of liquor accordingly, they
reached the place of occurrence where they saw a Scorpio
vehicle coming and when the vehicle was asked to stop, the
driver instead of stopping the vehicle moved towards the police



personnel, as such the police personnel, in order to save their lives, had to jump in a ditch and the Scorpio dashed the police vehicle damaging the same and thereafter fled with the car after throwing sacks containing liquor.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that if the accused persons including the petitioner fled along with the car, where was the occasion for them to throw the liquor for getting it seized, which amply demonstrates that the occurrence happened in some other manner and the police falsely implicated the petitioner alleging that they had received secret information, it is next submitted that no policemen were injured.

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

7. 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. 25,000/- (Rupees Twenty Five 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 Laukahi
P.S. Case No. 38 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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