

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51714 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- WAJIRGANJ District- Gaya

BINOD YADAV @ BINOD KUMAR SON OF SUNIL YADAV RESIDENT
OF VILLAGE- CHHIRI, PS- FATEHPUR, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 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(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 53.25 liters of liquor from an Alto car.
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 based on confessional statement of Upendra Kumar in police custody which does not have any evidentiary value.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has not stated about the ownership of the seized 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. 5,000/- (Rupees 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 Wazirganj P.S. Case No. 226 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 of the petitioner shall verify the ownership of the seized vehicle and in the event if it is found that the vehicle belongs to the petitioner in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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