

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51777 of 2023

Arising Out of PS. Case No.-393 Year-2021 Thana- BARH District- Patna

KARU @ KARA YADAV @ SINTU KUMAR SON OF SHARAWAN
YADAV R/O-GULAB BAG, P.S.-BARH, DISTT.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. Allegation is of recovery of 15 litres of liquor from
a Mango orchard of Gulabbagh Mukhan Agarwal.

5. Learned counsel for the petitioner submits that
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 villagers but then the name of
the villagers is not disclosed in the FIR who disclosed the name
of the petitioner. It is further submitted that petitioner is not the



owner of the orchard and even the alleged recovery is from a place which is accessible to public at large.

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 Court below 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 court below where the case is pending/successor court in connection with Barh P.S. Case No. 393 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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