

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54411 of 2023**

Arising Out of PS. Case No.-367 Year-2022 Thana- UCHKAGAON District- Gopalganj

Chhotu Yadav @ Ankush Yadav @ Ankush S/O Ramesh Yadav @ Ramesh  
Chaudhari R/O Village- Kawahi, Daud Tola, Ps. Uchakagaon, Dist. Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      23-08-2023                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Uchakagaon P.S. Case No. 367 of 2022 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 369 litres of liquor found concealed in a bush.

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 and he came to be  
implicated at the instance of villagers but then the FIR does not  
disclose the name of the person who disclosed the name of the



petitioner which casts an aspersion on the case of the prosecution, it is further submitted that even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner.

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 Court below 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 court below where the case is pending/successor court in connection with Uchakagaon P.S. Case No. 367 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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