

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53914 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- KEWATI District- Darbhanga

Dev Narayan Yadav @ Chotu Yadav Son Of Sundeshwar Yadav R/O Village-
Behatwara, Ps- Keoti, Dist- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Keoti P.S. Case No. 114 of 2023 registered for the offences
punishable under Sections 420, 467, 468, 471, 120(B) and 34 of
the Indian Penal Code read with Sections 30(a), 32 and 41 of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and allegation is of
recovery of 4484.25 litres of liquor from a truck.

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 based on confessional statement of Shankar Ram and



Ram Kumar Yadav in police custody which does not have any evidentiary value, it is next submitted that it appears that the police in order to save the real culprits got the petitioner implicated by Shankar Ram and Ram Kumar Yadav because of his antecedents. It is also submitted that the petitioner is not the owner of the seized truck.

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. 35,000/- (Rupees Thirty 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 Keoti P.S. Case No. 114 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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