

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59677 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- HUSSAINGANJ District- Siwan

=====

ANKUSH KUMAR YADAV @ ANKUSH YADAV S/O- DINESH YADAV
R/O- VILLAGE- KABIRPUR, P.S.- MAIRWA, DIST.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR , PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-10-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Hussainganj P.S. Case No. 56 of 2023 instituted under under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 23.3.2023 by the informant, Anjore Akela.

3. As per the prosecution story, the police intercepted a Scorpio and recovered/seized 17.280 liters of foreign liquor. One Bikesh Kumar was arrested who named this petitioner.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement, he do not have criminal antecedent and further without accepting the allegation, the petitioner intends to deposit Rs. 5000/- to the Patna High Court Legal Services Committee.

5. Learned APP opposes the prayer stating that the



arrested person has named him.

6. Taking into account the fact that his name has come in the confession of the arrested person, he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail subject to the payment of Rs. 5000/- to the Patna High Court Legal Services Committee.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Hussainganj P.S. Case No. 56 of 2023 to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Siwan subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

