

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12572 of 2024

Arising Out of PS. Case No.-196 Year-2014 Thana- DIGHWARA District- Saran

Shiv Nath Yadav @ Shiv Nath Rai, Son Of Indar Rai Resident Of Village -
Basti Jalal, P.S. - Dighwara, District - Saran At Chapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tejpratap Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 270, 271, 272, 273 and 290 of the I.P.C. and Section
47(A) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 50 litres of liquor from the orchard of the petitioner.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a place, which is accessible to public at large.
It is further submitted that no prudent person would use his own



orchard for committing an occurrence and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner came to be implicated based on secret information and also at the instance of the Chaukidar, with whom he is on an inimical term and it is easy to implicate someone based on secret information.

5. Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI, Excise, Saran at Chapra in connection with Dighwara P. S. Case No.196 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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