

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7642 of 2024

Arising Out of PS. Case No.-576 Year-2020 Thana- BRAHMPUR District- Buxar

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SANJAY KUMAR YADAV S/O- RAM PUKAR YADAV R/O- VILLAGE-
CHAKKI DERA, P.S.- BRAHAMPUR, DIST.- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate

For the Opposite Party/s : Mr. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 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 Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases.

4. Allegation is of recovery of 1.800 and 1.440 litres
of liquor from two different motorcycles.

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 based on the fact that he is owner of one of the
motorcycles. It is further submitted that no prudent person
would use his own vehicle for committing an occurrence and



thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged who had taken the motorcycle and fled away from the place of occurrence.

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.15,000/- (Rupees Fifteen 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 Brahampur P.S. Case No. 576 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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