

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9023 of 2024

Arising Out of PS. Case No.-550 Year-2023 Thana- SAHARSA SADAR District- Saharsa

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ARUN YADAV @ ARUN KUMAR YADAV S/O- LATE DARBARI YADAV
R/O- VILLAGE- PARSAHA, WARD NO.- 16, P.S.- SALKHUA, DIST.-
SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar,

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2024 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 offences punishable under Section 30(a) and
41 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 45 litres of liquor from a *Balero* vehicle, 90 litres
from a car and 409 litres from a tractor as such, total recovery is
544 litres.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and petitioner is not the



owner of any of the seized vehicle. It is next submitted that he came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saharsa Sadar P.S. Case No. 550 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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