

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7933 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- BARHARA District- Bhojpur

=====

Bijendra Kumar Yadav @ Vijendra Yadav S/O CHANDRAMA YADAV
VILLAGE- BABHANGAMA, PS. BARHARA (KRISHNAGARH O.P.),
DIST. BHOJPUR AT ARA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr .Shashank Shekhar

For the Opposite Party/s : Mr. Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Barhara (Krishnagarhn O.P.) P.S. Case No.273/2023
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 60 litres of liquor from a place near Kali temple. It
is next submitted 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 and he came to be implicated based on



confessional statement of Garjan Musahar in police custody, which does not have any evidentiary value in the eye of law.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Bhojpur, Ara in connection with Barhara (Krishnagarh OP) P.S. Case No.273/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

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

