

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11706 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- RAHIKA District- Madhubani

Suryanath Yadav @ Surya Narayan Yadav @ Suraj Yadav S/o Maheshwar
Yadav Resident of Village - Madhiya, P.S. - Basopatti, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah

For the Opposite Party/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rahika P.S. Case No.243/2023 registered for the offence
punishable under Sections 272, 273, 414, 467, 468, 471, 420,
120(B) of the I.P.C. & Section 30(a) of Bihar Prohibition and
Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 203.76 litres of liquor from a motorcycle and a
Scorpio. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and is not the owner of any of the seized vehicles
and he came to be implicated based on confessional statement of



Ritik Kumar in police custody, which does not have any evidentiary value. It is also submitted that the order impugned wrongly records that 126 litres of liquor was recovered when the alleged recovery as per seizure list is 203.76 litres.

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.10000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Rahika P.S. Case No.243/2023, G.R. No.1624/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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