

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9845 of 2024**

Arising Out of PS. Case No.-856 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Pappu Yadav @ Pappu Kumar Yadav S/O Anil Kumar Yadav R/O Village-
Jadopur Dukhaharan, P.S- Jadopur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-02-2024 Heard learned counsel for the petitioner as well as

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
30(a), 41(i) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 26 liters of liquor from a motorcycle.

4. 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 the motorcycle he came to be
implicated based on the confessional statement of Pankaj in
police custody which does not have any evidentiary value.



5. The learned APP for the State opposes the anticipatory 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Gopalganj Town P.S. Case No.856 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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