

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16402 of 2024

Arising Out of PS. Case No.-437 Year-2023 Thana- VAISHALI District- Vaishali

Rajesh Yadav @ Rajesh Kumar S/o Late Mahendra Rai R/o Village- Vayadih,
P.S. Sariaya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 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 Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of Bihar Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1192.32 liters of liquor from a *Truck*.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the truck and he came to be implicated based on



confessional statement of apprehended co-accused in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

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.500/- (Rupees Five Hundred) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Vaishali P.S. Case No 437 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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