

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17925 of 2024**

Arising Out of PS. Case No.-159 Year-2023 Thana- SRINAGAR District- West Champaran

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ASHOK YADAV @ ASHOK KUMAR @ ASHOK KUMAR YADAV SON  
OF NATHUNI YADAV RESIDENT OF VILLAGE - CHAIANPATTI, P.S. -  
TARAIYASUJAN, DISTRICT - KUSHINAGAR (UP)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Abhay Kumar

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

2      19-03-2024                      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 offence punishable under Sections 272, 273, 420, 467, 468, 471, 414, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 587.52 litres of liquor from a Mahindra Pick-up van and 898.56 litres from a tractor. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he is not the owner of the any of the seized vehicles and he came to be implicated



based on confessional statement of Bhim Yadav in police custody which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent. It is also submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner through Bhim Yadav.

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.500/- (Rupees five hundred) 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 Srinagar P.S. Case No.159/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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