

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29489 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- LADANIA District- Madhubani

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Laxman Kumar Yadav @ Laxman Yadav Son of Rajlal Yadav Resident of
Village- Yogia, P.S.- Ladniya, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 18-04-2024 1. 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 272, 273 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of seven cases and allegation is of
recovery of 429 liters of liquor from a Bolero vehicle.

4. It is next submitted that petitioners were not
arrested from the spot as such nothing was recovered from the
conscious possession and he is neither the owner nor the driver



of the alleged seized vehicle and he came to implicated based on secret information which is the easiest way to implicate someone. It is also submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner, taking advantage of his antecedents. It is next submitted that once a person is implicated in a case relating to excise thereafter, the police implicates mechanically.

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.35,000/- (Rupees Thirty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J., II-cum-Special Judge Excise Act, Madhubani in connection with Ladania P.S. Case No.26 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is further made clear that the learned trial court shall also verify the criminal antecedent of the petitioner and in



the event if it is found that petitioner has antecedent of more than two case, then also the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Prakash Narayan

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