

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30147 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- Excise P.S. District- Siwan

Abhinash Yadav @Bablu Prasad @ Bablu Yadav Son Of Parshuram Yadav
Resident Of Village - Nai Basti Bhagar, Ps- Siswan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-04-2024 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
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 711 liters of liquor from a Bolero vehicle.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he is neither the owner nor the driver of the
alleged seized vehicle and he came to implicated based on
confessional statement of Aakash and Kamal 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 Exclusive Special Judge, Excise, Court No.II, Siwan in connection with Raghunathpur Excise P.S. Case No.60 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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