

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29686 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- NTPC District- Patna

Rudal Yadav @ Rudal Kumar, Son of Nande Yadav Resident of Village-
Mangarchak, P.S- N.T.P.C, Dist- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-04-2024 1. Heard learned counsel for the petitioner and 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 Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 58.140 litres of liquor from a place near Tiraha Dam.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a place, which does not belong to the petitioner
and is accessible to public at large and he came to be implicated
based on confessional statement of Vikash Kumar in police



custody, which does not have any evidentiary value.

5. Learned A.P.P. opposes the 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court, Barh, Patna in connection with N.T.P.C. P. S. Case No.39 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 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 application shall not be given effect to.

(Satyavrat Verma, J)

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