

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30625 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- SAHPUR District- Bhojpur

1. Rakesh Yadav @ Rakesh Kumar Yadav Son Of Bhuar Yadav
2. Raja Ram Yadav Son Of Late Yamuna Yadav
Both Resident Of Village- Charghat, P.S.- Bihia,(Bahoranpur O.P.), Dist-
Bhojpur
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 25-04-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.
2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 20.145 liters of liquor from possession of Ravi
Shankar Yadav and from a motorcycle.



4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from the conscious possession and does not the owners of the seized motorcycle and they came to be implicated based on confessional statement of Ravi Shankar Yadav 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 petitioners, the petitioners above-named, in the event of their 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court,II, Bhojpur, Ara in connection with Shahpur P.S. Case No.115 of 2024, 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 even 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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