

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31572 of 2024

Arising Out of PS. Case No.-277 Year-2021 Thana- DARBHANGA District- Darbhanga

Baijnath Kumar Yadav @ Ram Jane Yadav @ Ramjee S/o Late Chalitar
Yadav @ Late Ram Chalitar Yadav R/o vill - Khutwara, P.S. - Sadar, Distt. -
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The case has been mentioned for taking it up out of
turn on the ground that daughter of the petitioner is getting
married on 01.05.2024.
3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.
4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
5. Allegation is of recovery of 1235.520 litres of
liquor from a pick-up van.
6. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and is not the owner of the seized vehicle and name of the petitioner transpired on the confessional statement of co-accused, namely, Rajesh Sah in police custody which does not have any evidentiary value in the eye of law.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. 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 court below where the case is pending/successor court in connection with Darbhanga Town (Kotwali) P.S. Case No. 277 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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