

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32986 of 2024

Arising Out of PS. Case No.-315 Year-2023 Thana- SISWAN District- Siwan

Sonu Yadav @ Sonu Kumar Yadav son of Shankar Yadav Resident of Village-
Gangapur Sisawan, P.S.- Sisawan, Dist.- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-05-2024 1) Heard learned counsel for the petitioner and learned
A.P.P. for the State.
- 2) The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a) and
41(1) of the Bihar Excise Act.
- 3) Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of recovery
of 50 liters of liquor from a motorcycle.
- 4) Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and he came to be implicated at the instance
of *Chowkidar* with whom he is on an inimical term. It is also
submitted that if the *Chowkidar* was aware of the involvement of



the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siswan Chainpur (OP) P.S. Case No. 315 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7) However, it is made clear 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 to.

(Satyavrat Verma, J)

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