

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37161 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- HATHUA District- Gopalganj

Manish Yadav @ Manish Kumar, Son of Rameshwar Yadav Resident of
Village- Bari Rai Bhan, P.S. - Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Shahi

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2024 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 four cases and the

allegation is of recovery of 171 litres of liquor from a bush.
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 at the instance of local person, but the name of the local person, who disclosed the name of the petitioner, is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution and it appears that the police in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedents.

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 ten weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XIII-cum-Special Excise Judge-1, Gopalganj in connection with Hathua P. S. Case No.07 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 four cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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