

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39632 of 2024**

Arising Out of PS. Case No.-93 Year-2024 Thana- PALASI District- Araria

Rupesh Kumar Yadav, S/o Jitan Lal Yadav R/o village-Chhapaniyan, ward no. 02, P.S.-Palasi, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha
For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 01-07-2024 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 02 litres of codeine cough syrup from the shop of Amrul and 105 litres of liquor from the bamboo orchard near the house of the petitioner.
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 he has no concern or relation with Amrul and he came to be implicated based on secret information, which is the easiest way to implicate someone.

5. Learned A.P.P. opposes the anticipatory 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-II, Araria in connection with Palasi P. S. Case No.93 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)

vikash/-

U		T	
---	--	---	--

