

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45958 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- RAJAOLI District- Nawada

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SANOJ YADAV @ SANOJ KUMAR SON OF SARJU YADAV @ SARYUG
YADAV @ SARYUG PRASAD YADAV RESIDENT OF VILLAGE -
MOHKMA, POLICE STATION - RAJAULI, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a), 30(d) of the Bihar Prohibition and Excise Act in connection with Rajauli P.S. Case No.85 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 1000 liters of Fermented Jawa Mahua from a place near a forest area and 3000 liters of Fermented Jawa Mahua from another forest area.

4. It is next submitted 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 of 'Chowkidar' with whom he is on inimical term. It is next submitted that it appears that the Chowkidar in order to save the real culprits falsely implicated the petitioner taking advantage of his antecedent.

5. The learned APP for the State 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, 2, Nawada in connection with Rajauli P.S. Case No.85 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 more than 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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