

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50252 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- ANDHRAMATH District- Madhubani

Sanjay Yadav @ Shivbhajan Yadav @ Sanjay Kumar Son of Jibachh Yadav
R/O Vill.- Subbatol, P.S.- Andhramath, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2024 **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 offences punishable under Section 30(a) of the Bihar Excise Act and Section 272, 273 and 34 of the IPC.
- 3.** Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 540 litres of liquor from a Hyundai Santro car.
- 4.** Learned counsel for the petitioner submits that the 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. It is next submitted that he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that in majority of the cases, the police, in a mechanical manner, implicates either at the instance of Chowkidar or



local person but then it absolutely does not stand to reason that how Chowkidar identified the petitioner when petitioner is not known to him.

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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Andhramath P.S. Case No. 57 of 2024 subject to the conditions as 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 antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

SUMIT/-

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

