

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51888 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- GARHI District- Jamui

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Gaurav Yadav @ Rajendra Yadav Son Of Late Dukhan Yadav Village-
Kenduaturi, Ps- Charkapathar, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo

For the Opposite Party/s : Mr. Ravindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-09-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Ravindra Kumar.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 414, 420, 467, 468, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. The learned counsel submits that by order dated 21.08.2024, the case diary was called for but the same till date has not been received. The Court will not wait endlessly for case diary and proceeds to decide the case on merits, based on the allegation, as alleged in the F.I.R.

4. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 50 litres of liquor from a motorcycle. It is next



submitted that petitioner was not arrested 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 stage of supervision without there being any material collected during the course of investigation to connect him. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

5. Learned A.P.P. Mr. Ravindra Kumar 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) 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 Garhi P.S. Case No.42/2024, 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 petitioner has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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