

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50212 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Gurupa District- Gaya

Bindu Yadav Son of Sakaldeo Yadav Resident of Vill- Gurpa, P.S.- Gurpa,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 100 liters of liquor from a motorcycle.
4. Learned counsel for the petitioner submits 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 based on the confessional statement of Naresh in police custody which does not have any evidentiary value.
5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though it has



been submitted that petitioner is not the owner of the motorcycle, but then no pleading to that effect has been given in 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One 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 Gurpa P.S. Case No. 20 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the registration of the seized vehicle and in the event if it is found that it is registered in the name of the petitioner, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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