

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51434 of 2024

Arising Out of PS. Case No.-6 Year-2022 Thana- GAYA MUFASIL District- Gaya

Sanjeev Yadav @ Sanjeet Yadav Son of SUGAN YADAV R/V- MANIARA,
P.S.- MUFFASIL, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 30-07-2024 1. 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 Section 30(a) of the Bihar Prohibition and Excise Act in connection with Muffasil P.S. Case No.06 of 2022.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 02 liters of liquor along with 05 liters of fermented Jawa Mahua.
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 based on disclosure made by independent witnesses, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which cast an aspersion on the case of the prosecution.

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.10,000/- (Rupees Ten Thosuang) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Gaya in connection with Muffasil P.S. Case No.06 of 2022, 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 two cases, 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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