

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51846 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- NEMDARGANJ District- Nawada

RAJENDRA YADAV @ RAJENDRA PRASAD JAWAD SON OF LATE
ROHAN YADAV @ SOHAN YADAV RESIDENT OF VILLAGE -
MASTANGANJ, P.S. - NEMDARGANJ, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-08-2024 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 Sections 30(a)(d) and 41 of the
Bihar Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases.
4. Allegation is of recovery of 100 litres of liquor along
with 1000 litres of fermented Mahua from the side wall of boring
room of Harkhu Yadav.
5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner and
he has no relation or concern with Harkhu Yadav. It is further



submitted that petitioner came to be implicated at the instance of the Chawkidar with whom he is no an inimical term.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let 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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nemdarganj P.S. Case No. 91 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than three cases in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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