

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57967 of 2024

Arising Out of PS. Case No.-421 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Pankaj Kumar Yadav, Son of Manik Yadav, Resident of Vill- Chhaon, P.S.-
Durgawati, District- Bhabhua at Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a) and 32(3) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 55 litres of liquor seized from a motorcycle and Shiv Anuj Yadav was arrested.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized motorcycle. It is next submitted that no prudent person would



use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his friend Shiv Anuj Yadav would misuse the vehicle in the manner as alleged as he was also apprehended at the spot.

5. Learned A.P.P. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of Sri Dharmendra Kumar Tiwari, the learned Special Judge Excise-II, Kaimur at Bhabhua in connection with Bhabua Excise P. S. Case No.421 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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