

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57881 of 2024**

Arising Out of PS. Case No.-351 Year-2023 Thana- GAYA MUFASIL District- Gaya

Shambhu Yadav Son of Bhulan Yadev Resident of village- Halmata, Police  
Station- Itkhori, District - Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      13-08-2024      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 11.625 liters of liquor from a Bolero vehicle and 5 liters of liquor from house of one Ashok Manjhi.

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. It is further submitted that petitioner is not the owner of the



seized vehicle and he came to be implicated during the course of investigation on the ground that he was the driver of the vehicle, when petitioner admittedly is a person with clean antecedent.

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

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. 500/- (Rupees Five Hundred) 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 Muffasil P.S. Case No. 351 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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