

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61354 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- AANDAR District- Siwan

Chuman Yadav @ Chumman Yadav @ Chuman Kumar Yadav Son of Rajesh
Yadav R/O-Village- Sultanpur @ (Sultanpur Dahabari), PS- Aandar, Distt.-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-09-2024 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 the
petitioner has antecedent of five cases and allegation is of
recovery of 108 litres of liquor from a cremation ground.

4. Learned counsel for the petitioner submits that the
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



at the instance of chowkidar, but then it is submitted that police in majority of the cases implicates either at the instance of chowkidar, local person, secret information or confessional statement without holding a proper investigation in a mechanical manner. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically and at times to save the real culprit.

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

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.25000/- (Rupees twenty five 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 Aandar P.S. Case No.115/2024, subject to the conditions as 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 antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than five cases,
in that event, the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

