

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67502 of 2024

Arising Out of PS. Case No.-526 Year-2020 Thana- MASAUDHI District- Patna

Nepali Yadav, Son of Late Mahavir Yadav Resident of Village - Jilal Bigha,
P.S.- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 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 30(d) 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 10 litres of liquor from the field
of Arun Yadav along with 700 litres of liquor of jawa mahua
which was destroyed at the spot.

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



even alleged recovery is from a place, which does not belong to the petitioner and he has no concern with Arun Yadav and he came to be implicated based on secret information, when admittedly petitioner is a person with clean antecedent.

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 the learned Special Judge Excise-III, Patna in connection with Masaurhi P. S. Case No.526 of 2020, 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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