

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70197 of 2024

Arising Out of PS. Case No.-475 Year-2021 Thana- JAGDISHPUR District- Bhojpur

Surendra Yadav @ Surendra Singh S/O Ramchandra Yadav @ Chalbidhar Singh Resident of Village-Gurej Police Station Jagdishpur District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the State : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Jagdishpur P.S. Case No. 475 of 2021 instituted under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act.

3. The recovery is of 20 litres of country made Mahua wine from the spot and not from the conscious possession of the petitioner. The petitioner has been named in the statement of the Chowkidar. The petitioner claims clean antecedent.

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

5. Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Bhojpur at Arrah in connection with Jagdishpur P.S. Case No. 475 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

6. At the time of accepting bail bonds of the petitioner, the Court below will verify the criminal antecedent of the petitioner. If it is found that the petitioner has criminal antecedent, the Court below shall not accept the bail bonds of the petitioner and if it is found that the petitioner has clean antecedent, his bail bonds shall be accepted by the Court below.

(Sandeep Kumar, J)

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