

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85211 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Anil Yadav Son of Gajadhar Yadav @ Gaji yadav R/o Village - Gunsagar,
P.S.- Tetarhat, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 7 of the E.C. Act.

3. Allegedly, police seized a pick van loaded with 990 kg of *arva* rice. The petitioner is the driver of the said pick up van and the allegation against him is that after seeing the police, he fled away from the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. He submits that the petitioner is not the owner of the said vehicle. He is professional driver of the truck and the owner of the truck has already been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Lakhisarai (Kabaiya) P.S. Case No.134 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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