

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82669 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- KAMTAUL District- Darbhanga

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Dhyani Yadav @ Dhyani Kumar Yadav SON OF LATE PARGASH YADAV
RESIDENT OF VILLAGE -PAKRIHAR POLICE STATION -SINGHWARA
DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-02-2024 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 Sections 420,
120(B) and 34 of the Indian Penal Code and Sections 30(a),
32(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases.

4. Allegation is of recovery of 2937.6 litres of liquor
from the truck.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner or the driver of the truck rather



he came to be implicated based on the confessional statement of co-accused Rakesh Kumar in police custody which does not have any evidentiary value in the eye of law. It is further submitted that the police through Rakesh Kumar got the petitioner implicated because of his antecedent in order to save the real culprits.

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

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty 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 Kamtaul P.S. Case No. 216 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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