

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11408 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- BARHARIA District- Siwan

Chandan Yadav @ Chandan Kumar Yadav son of Om Prakash Yadav @
Naga, R/o Village Siyari Karn, P.S. Barharia, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 01-03-2024 1 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2 The petitioner apprehends his arrest in a case regis-
tered for the offences punishable under Section 30(a) of the Bi-
har Excise Act.

3 Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 675 litres of liquor from a motorcycle and a cartoon,
as detailed in FIR.

4 Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was re-
covered from his conscious possession and he came to be impli-
cated at the instance of *Chowkidar* with whom he is on an inimi-
cal term. It is also submitted that petitioner is not the owner of the
seized vehicle.



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. 500/- (Rupees Five Hundred) 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 Barharia P.S. Case No. 415 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7 However, 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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