

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7387 of 2024**

Arising Out of PS. Case No.-495 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Deepak Yadav @ Dipak Kumar @ Dipak Kumar Yadav Son of Wakil Yadav  
Resident of Village-Rampur Madho PO-Maniyara, PS-Kuchaikote, District-  
Gopalganj ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

2      22-02-2024                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 495 of 2023, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 403.200 liter of liquor from a Bolero vehicle, 17.280 liter from a motorcycle and 7.920 liter of liquor from another motorcycle.

4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is also submitted that petitioner is neither the owner nor the



driver of any of the alleged vehicle and he came to be implicated based on confessional statement of Bullet Yadav in police custody which does not have any evidentiary value when petitioner admittedly is a person with clean antecedent.

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 Exclusive Special Excise Court No. - II – cum- Additional District and Sessions Judge – IV, Gopalganj, where the case is pending/successor court in connection with Kuchaikote P.S. Case No. 495 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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