

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88033 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- Excise P.S. District- Supaul

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Ajay Kumar Yadav Son of Late Ramnandan Prasad Yadav @ Ramanedan
Yadav Resident of Barhatha Ward no. 16, PS -Kishanpur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-01-2025 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 offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 225 litres of liquor from ward no.16 near Bashatta
village. It is next submitted that petitioner was not arrested from the
spot as such nothing was recovered from his conscious possession
and even alleged recovery is from a place which does not belong to
the petitioner and is accessible to public at large. It is next submitted
that petitioner has been falsely implicated alleging in the F.I.R. that
the liquor was recovered from the hut of the petitioner when from
perusal of the seizure list, it would manifest that the same records



that the liquor was recovered from ward no.16 near Bashatta village and does not even remotely suggest that the same was recovered from the hut of the petitioner.

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

5. 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.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 Excise Supaul P.S. Case No.227/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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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