

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1396 of 2025

Arising Out of PS. Case No.-212 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Akhilesh Yadav @ Akhilesh Kumar Son of Bhoti Yadav @ Bhuti Yadav
Resident of village - Roopbandh, P.S.- Jagdishpur, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-03-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 28 litres of liquor along with 15 litres gas cylinder from a place near bank of a river.
4. The learned counsel for the petitioner submits 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 and he came to be implicated



at the instance of Chaukidar. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret informant and confessional statement in a mechanical manner without holding proper investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on **provisional anticipatory bail** on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1st, Bhojpur, Ara in connection with Jagdishpur P. S. Case No.212 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that thereafter learned trial Court shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present provisional anticipatory bail



order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

