

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24349 of 2021

Arising Out of PS. Case No.-392 Year-2020 Thana- LAXMIPUR District- Jamui

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BIJAY SAH @ BIJAY KUMAR SAH SON OF PARO SAH R/O VILLAGE-
BARIYA BANDH, P.S.- LAXMIPUR, DISTRICT- LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Laxmipur P.S. Case No.392/2020, registered for the offence u/s 30/32 of the Bihar Prohibition and Excise Amendment Act.

Altogether 500 liters of country made liquor is said to have been recovered from Baria Banch Tola, Primary Health Centre near Pani Tanki. Three persons including the petitioner fled away from the spot but their names have been disclosed by the local villagers.

Learned counsel for the petitioner submits that petitioner



is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence has ever taken place. Petitioner has been falsely implicated in this case on the instance of his enemies. Neither the petitioner has been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The said recovery has been made from a public place, which does not belongs to the petitioner. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/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.25,000/- (Rupees Twenty Five 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 Laxmipur P.S. Case No.392/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the



learned Court below on showing receipt of deposit of
Rs.30,000.00/- (Rupees Thirty Thousand) in the Patna High
Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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