

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4068 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- PATORI District- Samastipur

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PANKAJ JHA @ PANKAJ KUMAR JHA S/o- Ram Karan Jha R/V- Baghara,
P.S. - Patory (Mohanpur O.P.), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 87.660 litres of liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that though recovery was made from outside the house of the petitioner but in the F.I.R. the police falsely alleged



that it was recovered from the house of the petitioner, it is next submitted that even presuming what has been alleged is true, without admitting for the purposes of anticipatory bail, then the house is a joint family property and as such it cannot be alleged with certainty that the petitioner was aware that liquor was kept in his house.

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

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent, 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. 3,000/- (Rupees Three 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 Shahpur Patori P.S. Case No. 382 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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