

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8598 of 2022**

Arising Out of PS. Case No.-131 Year-2021 Thana- VIDYAPATINAGAR District-
Samastipur

=====

BASANT KUMAR Son of Ram Falit Mahto Resident of Village - Gadhsisai,
Ward No. 8, P.S. Vidyapatinagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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 total recovery of 5.04 litres of liquor from a plastic tray kept in the courtyard of petitioner's house.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he was not arrested from the spot as such nothing was recovered from



his conscious possession and the courtyard is an open space as such it cannot be alleged that it was the petitioner who had kept the liquor in the courtyard, it is next submitted that no prudent man would keep liquor in an open space like courtyard and get implicated in a case.

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 and in the nature of allegations, 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 court below where the case is pending/successor court in connection with Vidyapatinagar P.S. Case No. 131 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

