

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10982 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Birendra Dhangad, Son Of Sri Dukhan Dhangad Resident Of Village -
Bhasurari, Ward No.15, P.S.- Shikarpur, Distt.- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
Ms. Rashmi Jha
For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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, 2016.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 03 litre of liquor along with 05 kg. black jaggery
and other articles from petitioner's house.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and as such, nothing
was recovered from his conscious possession. It is next
submitted that the house is a joint family property, as such, it



cannot be alleged that it was the petitioner, who had kept the liquor and the articles, as detailed in the F.I.R., in the house. It is also submitted that petitioner came to be implicated at the instance of villagers.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Excise Case No.47 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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