

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12011 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- CHACKMEHSI District- Samastipur

MADHO SAH @ RAKESH SAH S/O LATE RAM NARAIN SAH R/o
village- Kudhwa Bhatthi Chowk, Ward No.- 8, P.S.- Chakmeshi, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 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 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 4.320 litres of liquor from the husk house
(*bhushkar*) 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 the husk house is a place constructed outside the



premises and as such was accessible to all so it cannot be alleged that it was the petitioner who had kept the liquor in the husk house. Learned counsel further submits that the petitioner came to be implicated at the behest of local *chowkidar* with whom he is on an inimical term.

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 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. 1,000/- (Rupees One 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 Chakmaheshi P.S. Case No. 170 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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