

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15676 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- SAMASTIPUR District- Samastipur

SAHIL KUMAR @ SAHIL PASWAN SON OF GOPAL PASWAN
RESIDENT OF MOHALLA- BANGALI TOLA, BAHADURPUR P.S.-
SAMASTIPUR TOWN, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2022 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 and 30(a) of the Bihar Excise Act.

Allegation is of recovery of 7.875 litre of liquor from a bag hidden in an old hut situated about 50 yards away 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 even the recovery was not from a place which belongs to the petitioner and he came to be implicated falsely as



it has been alleged that on inquiry it transpired that the liquor belongs to the petitioner but the F.I.R. is completely silent that as to what was the nature of inquiry, from whom the informant inquired and who disclosed that the liquor belongs to the petitioner. It is further submitted that petitioner is a person with clean antecedent.

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, 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) each 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 Samastipur Town P.S. Case No.248 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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