

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14539 of 2022

Arising Out of PS. Case No.-265 Year-2021 Thana- GANGABRIDGE District- Vaishali

BHIKAM RAI @ BHIKHAM RAI SON OF AMAK RAI R/O VILLAGE-
TERASIYA, P.S.- GANGA BRIDGE IN THE DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Ms. Veena Rani Prasad, A.P.P.

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 the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a)(c) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegation is of recovery of 5 litres of liquor and 2000
litres of raw Jawa from the banana plantation of Sunil Rai and
petitioner and the raw Jawa was destroyed at the spot.

Submission is that petitioner was not arrested from the
spot, as such, nothing was recovered from his conscious
possession and the alleged recovery was from a place which
belongs to Sunil Rai and not the petitioner. Banana plantation is
done in an open area which is accessible to everyone, as such, it



cannot be alleged that it was the petitioner who had kept the liquor in the banana plantation along with raw Jawa when the said banana plantation does not belong to the petitioner. Petitioner has got no criminal antecedent.

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

Considering the submissions aforesaid, let 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.2,000/- (Rupees Two 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 Ganga Bridge P.S. Case No. 265 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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