

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15640 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- GANGABRIDGE District- Vaishali

MAHESH RAY Son of Ram Dayal Ray Resident of Village - Diwan Tola,
P.S. - Ganga Bridge, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, 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 467, 468, 471, 420, 120(B) and 34 of the Indian Penal Code read with Sections 30(a) and 30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 40 litre of liquor from a banana plantation.

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 banana plantation is an open space and the same is accessible to people at large and hence it cannot be alleged



that it was the petitioner who had kept liquor in his own banana plantation, it is next submitted that no prudent man would use his own space for committing such illegalities.

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. 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. 189 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Shivam/-

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