

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18429 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- SISWAN District- Siwan

=====

VIJAY SAH Son of - Bhagwan Sah Resident of village - Naya Gaon, P.S. -
Siswan (Chainpur O.P.), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey
For the Opposite Party/s : Mr.Nand Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 272, 273 of the Indian
Penal Code and under Section 30 (a), 36 of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 31.860 of foreign liquor
was recovered from a bush behind the house of this petitioner.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery rather recovery has been
made from a bush which is an open place accessible to one and
all. Petitioner has got clean antecedent.



Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Siwan in connection with Siswan (Chainpur OP) PS case No. 309/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

BKS/-

U		T	
---	--	---	--

