

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23406 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

SURESH RAI S/o Bhagwan Rai R/o village- Ushari, P.S.- Baikunthpur,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases.

Allegation is of recovery of 6.66 litre of liquor from a bag. It is alleged that the Chawkidar identified the petitioner as the person who fled after throwing the bag.

Learned counsel for the petitioner further submits that petitioner has been falsely implicated in the present case at the behest of the Chawkidar. It is next submitted that admittedly the petitioner was not arrested from the spot, as such, nothing was recovered from the conscious possession of the petitioner.



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 the nature of allegation, 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 Baikunthpur P.S. Case No. 38 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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