

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29643 of 2022**

Arising Out of PS. Case No.-354 Year-2021 Thana- MOTIPUR District- Muzaffarpur

ANIL RAI @ ANIL KUMAR S/o Late Bidhyanand Rai Resident of Village-
Sundar Saray, P.S.- Motipur, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 12-08-2022 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 272, 273
of the Indian Penal Code and Section 30(a) and 41(1)(2) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 105 litre of spirit from
semi constructed house of the petitioner and Dhiraj Kumar.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. He further submits



that the house was under construction and, as such, petitioner was not staying there presently and it appears that someone taking advantage of the fact that the house is vacant kept the liquor without the knowledge of the petitioner. He next submits that petitioner came to be implicated at the instance of local Chawkidar.

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 Motipur P.S. Case No. 354 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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