

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30519 of 2022

Arising Out of PS. Case No.-497 Year-2020 Thana- NAANPUR District- Sitamarhi

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RAM BALAK BAITHA SON OF LATE SURESH BAITHA R/O VILLAGE-
SIRASI, WARD NO.-8, P.S.- NANPUR, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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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 virtual Court proceedings.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of two liters of liquor from a plastic bottle from the house of the petitioner.

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 it has been alleged that the recovery was made from the house of the petitioner but the alleged recovery was



from a dwelling hut which is an open place and is accessible to villagers. It is further submitted that no prudent man would keep liquor in a place which is accessible and can be easily located, it appears that someone in order to falsely implicate the petitioner had thrown the bottle in the hut 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, 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. 5,000/- (Rupees Five 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 Nanpur P.S. Case No. 497 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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