

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36446 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

LAL DAS ROY @ UPENDRA @ UPENDRA KUMAR YADAV S/O SRI
NATH NARAYAN ROY @ NATH NARAYAN ROY Resident of Village-
Mahkampur Bara, P.S.- Ara Mufassil, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 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 offences punishable under Section 30(a) 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 168 liter of liquor from petitioners mango orchard.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, further though the mango orchard belongs to the petitioner but then it is accessible to villagers at large, it is also submitted that mere recovery of



liquor from the orchard of the petitioner does not connect the petitioner with the offence in any manner, it is next submitted that no prudent man would keep liquor in his orchard and get implicated.

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. 10,000/- (Rupees Ten 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 Ara Muffasil P.S. Case No. 120 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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