

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40657 of 2022**

Arising Out of PS. Case No.-55 Year-2022 Thana- BEERPUR District- Begusarai

RAM SHARAN KUMAR S/o Ramadhar Yadav R/o village- Birpur Purvi,  
P.S.- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

2      25-08-2022                      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 is a person with clean antecedent and allegation is of recovery of 48.645 liter liquor from petitioner's asbestos house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and from perusal of the allegation as alleged in the F.I.R. it would manifest that recovery is alleged from the asbestos house of the petitioner but it has been specifically pleaded that petitioner does not stay in



the house and it appears that someone in order to falsely implicate him planted the liquor in his asbestos house, further from perusal of the seizure list it would manifest that the same is also in breach of Section 62 of the Excise Act.

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. 20,000/- (Rupees Twenty 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 Birpur P.S. Case No. 55 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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