

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50560 of 2022

Arising Out of PS. Case No.-539 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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GARIBAN KUMAR @ GARIBAN SAHNI SON OF BHAGWANLAL
SAHNI @ BHAGWAN SAHNI R/O VILLAGE- MADHOPUR CHIKANI,
P.S.- KUDHANI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-09-2022 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 Sections 30 (a) and
32 (3) 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 533.160 liters liquor from the petitioner's poultry
farm.

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 the poultry farm does not belong to the petitioner



as it has been specifically pleaded at paragraph '10' to the anticipatory bail application, it is also submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone when admittedly the petitioner is a person with clean antecedent.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muzaffarpur Excise Case No. 539 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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