

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53059 of 2022

Arising Out of PS. Case No.-24 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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ARUN KUMAR @ ARUN KUMAR MAHTO S/o Ramchandra Mahto
Resident of Village - Ramnagar Reora, P.S.- Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 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 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 1.860 litres liquor from a plastic sack kept in the courtyard of petitioner's 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, it is further submitted that it has been specifically pleaded at paragraph '7'



of the anticipatory bail application that the house is a joint family property as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house but the police in a mechanical manner on account of antecedent of the petitioner, implicated him falsely.

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 Excise Case No. 24 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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