

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56058 of 2022

Arising Out of PS. Case No.-1031 Year-2016 Thana- SASARAM NAGAR District- Rohtas

NATHUNI PRAJAPATI SON OF SHRAVAN PRAJAPATI R/O VILLAGE-
KANCHANPUR, P.S.- SASARAM (M), DISTT.- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 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 47(a), 53(b) and 54 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 157.725 liters liquor from a room in which labours were residing.

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 house belongs to the petitioner and the same was taken on rent by the named accused persons for keeping



labours as would be evident from the allegations in the FIR. Learned counsel submits that the name of the petitioner does not figure in the accused column of the FIR as such he was completely unaware that he was also implicated in the present case, it is next submitted that the petitioner came to be implicated merely because he is the landlord of the tenants.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case is of the year 2016 and the petitioner in the year 2022 has filed application for seeking anticipatory bail.

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. 1,000/- (Rupees One 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 Sasaram (M) P.S. Case No. 1031 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial court before accepting the bail bonds of the petitioner shall verify whether any process



under Section 82 of the Cr.P.C. has been issued against the petitioner or not. In the event, if any process under Section 82 of the Cr.P.C. has been issued against the petitioner, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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