

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59904 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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SANJAY BHUIYAN Son of Late Janki Bhuiyan Resident of village - Mermo,
P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 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 30(c) 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 120 litres of liquor from a plastic drum at village Marmo along with 2200 litres of raw mahuwa solution which was destroyed at the spot.

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 even the alleged recovery is from a place which is accessible to public at large, which does not belong to the petitioner and he came to be implicated at the instance of local shepherds whose name have not been disclosed in the FIR.

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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 98 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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