

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72536 of 2021

Arising Out of PS. Case No.-479 Year-2021 Thana- BASANTPUR District- Siwan

BAWALI GIRI @ UMESH GIRI S/o Late Shankar Giri R/o Village-Samardah, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-06-2022 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case.

Allegation is of recovery of 60 litres of liquor from the place of occurrence and two accused, namely, Akhleshwar Tiwary and Satyendra Giri were apprehended who disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he was not apprehended from the spot, as such, nothing was recovered from the conscious possession of the petitioner and



his name was disclosed by the apprehended accused in police custody which has no evidentiary value.

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.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 Basantpur P.S. Case No. 479 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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