

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70725 of 2021

Arising Out of PS. Case No.-167 Year-2021 Thana- LADANIA District- Madhubani

RAMESH PURBEY @ RAMESH PURVE Son of Late Upendra Purve @
Upendra Purbey Resident of village - Piprahi, Ward No.- 13, P.S.- Ladania,
District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2022 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 272 and 273 of the Indian Penal Code read with Section 30(a) 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 liquor from the house of one Ashok Purbe as detailed in the F.I.R. and with regard to petitioner it is alleged that 5.100 litres of liquor was recovered from his kitchen garden.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot nor the place from



where the liquor was recovered belongs to the petitioner as such nothing was recovered from his conscious possession, it is further submitted that he has been falsely implicated in the present case, it is the not case of the prosecution that the alleged recovery is from the house of the petitioner except that one Ashok Purbey has stated that the place belongs to the petitioner.

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 and the fact that the petitioner is a person with clean antecedent and in the nature of allegations, 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 Ladania P.S. Case No. 167 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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