

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62426 of 2022

Arising Out of PS. Case No.-357 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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SUNIL SINGH @ SUNIL KUMAR SINGH Son of Late Nageshwar Singh
Resident of Village- Rajni, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 8.82 liters liquor from a plastic sack kept in the
premises of petitioner.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that the alleged recovery is from the outer part of the



house of the petitioner. Learned counsel further submits that the house is a joint family property and as such it cannot be alleged with certainty that petitioner was aware that someone had kept liquor in the premises which falls in the outer part of the house.

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 Excise (Complaint) Case No. 39 of 2021-21 corresponding to Excise Case No. 357 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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