

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61729 of 2022**

Arising Out of PS. Case No.-355 Year-2022 Thana- KESARIA District- East Champaran

OM KUMAR @ OM PRASAD SON OF RAM SAHAY PRASAD R/O  
VILLAGE- KHIJIRPURA, WARD NO. 1, P.S.- KESHARIYA, DISTRICT-  
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      23-11-2022                      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), 32 and 41(i) 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 6.120 liters liquor from the house of the 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 petitioner has been falsely implicated in the present case alleging that the recovery is from his place when it



has been specifically stated at paragraph '12' of the anticipatory bail application that petitioner has no concern with the house from where the alleged recovery was made.

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 Keshariya P.S. Case No. 355 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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