

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61129 of 2022**

Arising Out of PS. Case No.-194 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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PREMCHAND BHAGAT @ PREMCHAND PRASAD S/O Bigan Bhagat @
Biran Bhagat R/O Village- Chhata, P.S- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 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 37 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 30 liters of liquor from a Baswari which was in possession of the petitioner, further, 1 liter of liquor from possession of Shravan Kumar, 2 liters of liquor from possession of Laddu Bhagat and 1 liter from possession of Krishna Manjhi.

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 it has been specifically pleaded at Para 8 that the alleged recovery is from an open place and the said Baswari does not belongs to the petitioner but the police in order to save the real culprit falsely implicated a person with clean antecedent.

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) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Government Official Comp. P.S. Case No. 194 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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