

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66426 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- BIBHUTIPUR District- Samastipur

SUSHIL RAI @ SUSHIL KUMAR RAI @ SUSHIL RAY @ SHUSHIL RAI
@ SHUSHIL KUMAR RAI S/o Sahdev Rai @ Sahdev Ray R/o Village-
Chakhabib, P.S.- Bibhutipur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 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 272 and 273 of the Indian Penal Code and 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 49.500 liters liquor from petitioner's house.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated at the instance of *Chowkidaar* with whom he is on inimical term, it is also submitted that the house is a joint family



property and as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or it was in the knowledge of the petitioner that liquor was kept in 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 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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bibhutipur P.S. Case No. 343 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Shubham/-

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