

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67385 of 2022

Arising Out of PS. Case No.-444 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

RAMLAGAN SAH @ LAGAN SAH S/O Narayan Sah R/O Village-
Tilaktajpur, P.S- Runni Saidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 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 30(a), 36 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 350.280 litres liquor from petitioner's house and 105
litres liquor from a tractor's trailer.

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 local *chowkidar* with whom he is on
an inimical term, it is next submitted that petitioner is aged about
75 years and till the age of 75 years, he was a person with clean



antecedent and all of a sudden he has been made a criminal at the instance of *chowkidar*, it is also submitted that the house is a joint family property and as such it cannot be alleged that the liquor was kept in the house with the knowledge of 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, 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. 5,000/- (Rupees Five 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 Runni Saidpur P.S. Case No. 444 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of petitioner shall verify his criminal antecedents and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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