

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11766 of 2023**

Arising Out of PS. Case No.-23 Year-2009 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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BISHWANATH SAH @ BISHWANATH PRASAD SON OF NAND
KISHORE SAH R/O POKHRAHAN, P.S.- BAGEN GOLA, DISTRICT-
BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mira Kumari

For the Opposite Party/s : Mr. Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 47(a) and 47(f) of the Excise Act.

Allegedly, on 03.12.2009, the police seized liquor and other liquor making articles from the house of accused Ramesh Sah. Petitioner is the maternal brother of accused Ramesh Sah.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. She further submits that the present case belongs to the year of 2009 and after investigation the police has filed final form against the



petitioner but differing with the same, learned Court below took cognizance against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Itarhi P.S. Case No.23 (0) 2009, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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