

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15975 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- BANIAPUR District- Saran

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SUBHASH RAY @ GHEE Son of Devraj Ray R/O Village- Hanshrajpur, P.S-
Baniapur, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 50 liters of liquor from a place near the canal.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that even the alleged recovery is from a place which is accessible to public at large and he came to be implicated based on the disclosure made by the *Chowkidar* and local people, it is



further submitted that name of the local people is not disclosed in the F.I.R., as such no credence could be given to such disclosure and as far as *Chowkidar* is concerned, the petitioner is on an inimical term with him.

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. 10,000/- (Rupees Ten Thousand) 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 Baniapur P.S. Case No. 340 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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