

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16076 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

GOLU SAH SON OF RAJMANGAL SAH R/O VILLAGE- MARHALLA,
P.S.- TARIYANI, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar, Advocate
		Mr. Atul Anand, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP

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 one case and allegation is of recovery of 1 liter of liquor from *Banswari*.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, rather in the F.I.R. it is alleged that the petitioner was seen throwing the bottle in the *Banswari* which was recovered, based on which the present F.I.R. came to be instituted. The learned counsel for the



petitioner further submits that the petitioner was not arrested from the spot which amply demonstrates that he has been falsely implicated. The learned counsel next submits that the name of the petitioner transpired in the confessional statement of his mother, it is next submitted that the police forcefully made her confess the name of the petitioner in the present case.

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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tariyani P.S. Case No. 306 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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