

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17403 of 2023

Arising Out of PS. Case No.-658 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SHASHI ROY @ SHASHI KUMAR Son of Ganesh Roy R/o- Pokhraise P.s-
Muffasil, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 14.265 liters of liquor from the house of the
petitioner, further it is alleged that petitioner, on seeing the
police, fled.

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 the alleged house is also a joint family property, as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor was kept in the house within the knowledge of the petitioner. The learned counsel next submits that in order to make the case grave, it has been falsely alleged that petitioner fled on seeing the police, when petitioner was not present at the place of occurrence. It is further submitted that petitioner came to be implicated based on his antecedent.

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. 5,000/- (Rupees Five 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 Samastipur (Muffasil P.S. Case No. 658 of 2022
subject to the conditions as laid down under Section 438 (2)
of the Cr.P.C.

(Satyavrat Verma, J)

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