

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18139 of 2023**

Arising Out of PS. Case No.-380 Year-2022 Thana- TEGHRHA District- Begusarai

GUDDU KUMAR @ GUDDU RAI son of Janardan Rai Village - Bariyarpur
Ward No - 8, PS - Teghra Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Ms. Meena Singh, A.P.P.

**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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 5.625 litres of liquor from the house of one Mritunjay Rai.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that even the alleged recovery is from a house which is a joint family property and, as such, it cannot be alleged that it was petitioner who had kept the liquor in the house or the liquor was



kept in the house within the knowledge of the petitioner. It is next submitted that petitioner came to be implicated at the instance of the local Chawkidar since his brother Mritunjay Rai was arrested when admittedly petitioner is a person with clean 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 Court below 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 court below where the case is pending/successor court in connection with Theghra P.S. Case No. 380 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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