

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25914 of 2023

Arising Out of PS. Case No.-304 Year-2021 Thana- PIPRAKOTHI District- East Champaran

JAY PRAKASH KUMAR @ JAI PRAKASH SAHANI SON OF AMBIKA
CHOUDHARY RESIDENT OF VILLAGE- HATHIYANI , PS- PIPRA
KOTHI, DIST - EAST CHAMPARAN , MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 Sections 272, 273 and 34 of Indian Penal Code and Sections 30(a), 30(c) and 36 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 80 liters of liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted even the house is a joint family property as such, he



cannot be alleged with certainty that it was petitioner who has kept the liquor in the house or the liquor kept in the house was within the knowledge of the petitioner 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 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piprakothi P.S. Case No. 304 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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