

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25805 of 2023

Arising Out of PS. Case No.-157 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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ABHIMANYU KUMAR SON OF SIKENDRA YADAV R/O BALAM,
WARD NO.6, P.S.- MADHEPURA, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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 is a person with clean antecedent and allegation is of recovery of 327.2 liters of liquor from a vehicle which was parked near 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 that event the alleged recovery is from a place which is outside the house of the petitioner and the car also does not belong to the petitioner and he came to be implicated merely



because a recovery was made from a place which was near his house and he came to be implicated at the instance of villagers but then the FIR does not records the name of the villagers who disclosed the name of the petitioner which creates doubt with regard to the veracity of the allegations as alleged in the FIR when admittedly, the 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 157 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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