

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26250 of 2023

Arising Out of PS. Case No.-416 Year-2021 Thana- KHAJEKALA District- Patna

BIJLI RAY Son of Lala Ray Resident of Village - Naujar Ghat, Chitragupt
Mandir, Diwan Mohalla, P.S.- Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, 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 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 40 liters of liquor from *khatal* of the petitioner.

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 his son was arrested from the place of occurrence, it is further submitted that petitioner is living separately from his son and at the same time the learned counsel also submits that no



prudent man would keep liquor in his own premise and thus would get implicated when admittedly *khatal* is a place which is outside the house and thus is accessible to public at large. It is also submitted that petitioner is a senior citizen aged about 60 years and all of a sudden he has been made a criminal.

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 Khajekalan P.S. Case No. 416 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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