

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26475 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

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MUKESH RAI @ MUKESH KUMAR S/O KRISHNA RAI @
KRISHNNARAYAN RAY Resident of Village- Devghara, P.S.- Sahebganj,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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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 the Indian Penal Code and 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 total recovery of 144 liters of liquor from the village
Ishachhapra.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing



was recovered from his conscious possession nor the alleged recovery is made from a place which belongs to the petitioner and he came to be implicated at the instance of *Chowkidar* with whom he is on an inimical term, 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sahebganj P.S. Case No. 57 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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