

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27654 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

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DHANU PATEL @ DHANU KUMAR PATEL S/O AWADHESH KURMI
Resident of Village- Banarpur, P.S.- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 has antecedent of one case and allegation is of recovery of 79.875 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 that the alleged recovery is from a joint family house and, as such, it cannot be alleged with certainty that it was the



petitioner who had kept the liquor in the house or the liquor kept in the house was within his knowledge and it is further submitted that he came to be implicated because of his 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. 5,000/- (Rupees Five 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 Buxar(M) P.S. Case No. 118 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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