

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27368 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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NANJAY YADAV @ MANJAY YADAV Son of Raj Balam Yadav Resident
of village-Bishrampur Dubauli, P.S.-Dumariyaghat, District-East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

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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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 39.240 litres of liquor
from a semi constructed house of the petitioner.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that the house was a semi constructed, as such, the petitioner
was not living there and, hence, was accessible to the villagers



at large. It is next submitted that no prudent person would keep liquor in his own premise and thus would get implicated easily. Learned counsel further submits that it appears that the Chawkidar in order to save the real culprits falsely implicated the petitioner when petitioner admittedly 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 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 Dumariyaghat P.S. Case No. 01 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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