

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27307 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- RIVILGANJ District- Saran

=====

DIPAK RAI @ DIPAK KUMAR RAI @ CHAIT @ CHAIT RAI S/O
RAMESHWAR RAY Resident of Village- Deoria, P.S.- Revilganj, District-
Saran at Chapra (bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

=====

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.

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

Allegation is of recovery of 10 litres of liquor from
the 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 is a joint family property 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. It is next submitted that petitioner came to be implicated based on suspicion when admittedly petitioner is a person with clean antecedent. It is also submitted that no prudent person would keep the liquor in his own house and thus would get implicated himself easily.

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 Revilganj P.S. Case No. 173 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

