

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27444 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- NATIONAL HIGHWAY District-
Samastipur

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RATAN KUMAR @ RATAN PASWAN S/o Munnilal Paswan @ Munniya
Resident of village-Kothiya, P.S.-Bangra, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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

Allegation is of recovery of 13.875 litres of liquor from backside of 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 even the alleged recovery is from a place which does not



belong to the petitioner rather it is on the backside of his house and outside the boundary but since the recovery was made from a place near his house, as such, petitioner came to be implicated when admittedly he 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 National Highway Bangra P.S. Case No. 28 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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