

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27878 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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VIJAY KUMAR SINGH son of Rupnarayan Singh Village- Jasauli Patti Ps-
Turkauliya Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate

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

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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 30(a), 30(c), 30(f), 33, 34(b) and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1200 litres of liquor from the warehouse of Ramesh Kumar.

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 petitioner is not the owner of the warehouse rather is a businessman and is owner of M/s Ayansh Paints Shop



and he came to be implicated because a bill of his shop was found at the place of occurrence. Learned counsel submits that it absolutely does not stand to reason that how the bill in any manner could have connected the petitioner with the offence when admittedly petitioner is a person with clean antecedent and no businessman would bring disrepute to his business by indulging in such activities.

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 Town P.S. Case No. 204 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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