

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28167 of 2023**

Arising Out of PS. Case No.-95 Year-2023 Thana- BASANTPUR District- Siwan

CHHOTELAL RAM @ CHHOTU RAM @ RUPESH KUMAR S/O  
RAMCHANDRA RAM R/O Village- Basaon Takhath, P.S- Basantpur, Distt.-  
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

**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 is a person with clean antecedent and allegation is of  
recovery of 32.400 liters of liquor from a wheat field behind the  
house of the petitioner and 20 liters of liquor from a place near a  
pond.

Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and he came to be



implicated by the local villagers, but then the F.I.R. does not disclose the names of villagers who disclosed the name of petitioner. It is further submitted that the alleged recovery is from a place which is an open space and is accessible to public at large. It is submitted, at the cost of repetition, that petitioner 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 trial court 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 trial court where the case is pending/successor court in connection with Basantpur P.S. Case No. 95 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishabh/-

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