

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28929 of 2023

Arising Out of PS. Case No.-290 Year-2022 Thana- SARMERA District- Nalanda

BUDDHAN RAM Son of Prasiddh Ram Resident of village-Pendi, P.O.-
Cheron, P.S.-Sarmera Chero, District-Nalanda, Bihar-811104

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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)(c) of the Bihar Prohibition and Excise (Amendment) Act, 2012.

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

Allegation is of recovery of 90 litres of liquor from the place of occurrence and petitioner fled away.

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 next submitted that from perusal of the FIR, it would manifest that initially the petitioner was not named in the FIR and two days after the occurrence FIR was amended to include the name of the



petitioner which creates doubt with regard to the veracity of the allegation as alleged in the FIR, when admittedly 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 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 Sarmera P.S. Case No. 290 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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