

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29477 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- FATEHPUR District- Gaya

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KUMAR SAURABH @ SAURABH KUMAR Son of Sanjay Singh Resident
of village - Fatehpur, P.S.- Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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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 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 17.745 liters of liquor from the straw house of the
petitioner.

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 straw house is a place outside the house and is
accessible to public and villagers at large, it is also submitted



that no prudent person would use his own land for committing an offence and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone, 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 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatehpur P.S. Case No. 115 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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