

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31135 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- BARHARIA District- Siwan

=====

SANJAY PASI @ SANJAY CHOUDHARY SON OF LATE RAMESHWAR
PASI R/O-KOIRIGAWAN JOGI TOLA, P.S.-BARHARIA, DISTT.-SIWAN
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has antecedent of one case.

Allegation is of recovery of 50 litres of liquor from a place near Kali Temple.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value in the eye of law, even the alleged recovery is from a place which is



accessible to public at large and does not belong to the petitioner. It is further submitted that petitioner because of his antecedent was implicated.

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.10,000/- (Rupees Ten 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 Barharia P.S. Case No. 09 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

