

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37054 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- MATIYARIA District- West Champaran

SARVESH URAW SON OF RAMCHANAR URAW @ RAMCHANDA
URAW R/O-SONVARSHA P.S.-MATIYARIYA DISTT.-WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30
(a) of the Bihar Excise Act and Sections 272 and 273 of the I.P.C.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of recovery
of two liters of liquor from the house of the petitioner, further two
liters of liquor was recovered from the house of Sobha Devi.

4. 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
he came to be implicated at the instance of Chowkidar with whom
he is on an inimical term despite the fact that Chowkidar was
aware that house is a joint family property, as such, it cannot be



alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor kept in the house was within his knowledge.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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. 10,000/- (Rupees Ten 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 Matiyariya P.S. Case No. 13 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The learned counsel for the petitioner seeks four weeks time for removing the defects.

(Satyavrat Verma, J)

GauravSinha/-

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