

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31054 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- DARPA District- East Champaran

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SANOJ KUMAR Son of Ramadyodhya Rai @ Ramayodhya Rai Resident of
village - Tikuliya, P.S. - Adapur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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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 offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2012.

Learned counsel for the petitioner submits that petitioner has antecedent of six cases.

Allegation is of recovery of 24 litres of liquor from a bag found near Sukhlahiya Bhawanipur.

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 at the instance of the villagers because of his antecedent. It is further submitted that the petitioner was



automatically dragged in the case, when admittedly he was not present at the place occurrence nor the FIR records the name of the villagers who disclosed the name of the petitioner which creates doubt with regard to the veracity of the allegation as alleged in the FIR.

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.30,000/- (Rupees Thirty 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 Darpa P.S. Case No. 13 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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