

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31387 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- BARACHATTI District- Gaya

SUNIL KUMAR @ SUNIL YADAV SON OF GANESH YADAV
RESIDENT OF VILLAGE- BARVADIH, PS- BARACHATTI, DISTT-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 one antecedent and allegation is of
recovery of 24 liters of liquor from the 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 even alleged recovery is from a house which is a joint
family property and as such, it cannot be alleged with certainty



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

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. 5,000/- (Rupees five 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 Barachatti P.S. Case No. 214 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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