

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31705 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- SAHAJITPUR District- Saran

VIJAY SINGH @ VIJAY KUMAR SINGH son of Raghunath Singh Village-
Pipra Ps- Sahajitpur Dist- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, 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 has antecedent of one case and allegation is of total recovery of 21 liters of liquor out of which 14 liters of liquor was recovered from a motorcycle and 7 liters of liquor was recovered from the hay house of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is not the owner of the motorcycle and hay house is an open space outside the house and is accessible to public at



large. It is further submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that it appears that someone inimical to the petitioner kept the liquor in the hay house which is an open space in order to implicate the petitioner and his family.

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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sahajitpur P.S. Case No. 262 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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