

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32427 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- SANDESH District- Bhojpur

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MOHAN KUMAR SAW @ MOHAN SAH SON OF KANHAIYA PRASAD
@ LOHA SAH RESIDENT OF VILLAGE- AKHGAON BAZAR, PS-
SANDESH, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 clean antecedent and allegation is of
recovery of 30 liters of liquor from a place near the house of
Kariman and 1.440 liters of liquor from bamboo plantation in a
village.

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 even the alleged recovery is from a place which does not belong to the petitioner and it appears that *Chowkidar*, with a view to save the real culprits, falsely implicated the petitioner, when admittedly petitioner is a person with clean antecedent..

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. 1,000/- (Rupees One 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 Sandesh P.S. Case No. 65 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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