

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39311 of 2023

Arising Out of PS. Case No.-280 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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SANDEEP KUMAR S/O KESHWAR PASI R/O Village- Lakdi Dargah, P.S-
Barhariya, Distt-Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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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.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 16.800 liters of liquor from the gate of the house of
petitioner, further 10.200 liters from the gate of the house of
Surjeet Kunwar and one liter of liquor from the pocket of
Baliram Chaudhary.
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 based on secret information which is the easiest way to implicate someone and even the alleged recovery was not from the house but from a place near the gate of the house, it is also submitted that the house is a joint family property.

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. 1,000/- (Rupees One 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 Excise P.S. Case No. 280 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The defect as pointed out by the Office is ignored.

(Satyavrat Verma, J)

GauravSinha/-

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