

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36621 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Abbas Ansari @ Sonu Ansari @ Md. Abbas Ansari S/O Muslim Ansari R/O
Village- Hata, Ward No. 05, P.S- Chainpur, Distt.- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 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 35.4 litres of liquor from the room of one Muslim Ansari.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of his father in police custody which does not have any evidentiary value, it is



next submitted that even the house from where the alleged recovery is made is a joint family property as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor kept in the house was within his knowledge, when admittedly the 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 Court below 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 court below where the case is pending/successor court in connection with Chainpur P.S. Case No. 58 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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