

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51902 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- DIGHWARA District- Saran

SATA RAI @ SAT LAL RAI SON OF NANDA RAI BAGAHI, PS-
DIGHWARA, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 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 offences punishable under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case but inadvertently at para 3
of the anticipatory bail application it has been typed that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 400 litres of liquor
from Diara Area and 80 litres of liquor from two motorcycles as
detailed in the FIR.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be



implicated at the instance of the labourers but then the name of the labourers is not disclosed in the FIR who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution. It is further submitted that petitioner is not the owner of any of the seized vehicles and even the alleged recovery is from a place which is accessible to public at large.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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.5,000/- (Rupees Five 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 Dighwara P.S. Case No. 72 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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