

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44775 of 2023**

Arising Out of PS. Case No.-336 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Samastipur

=====

RAM SWARATH SAH S/o- BALESHWAR SAH Village- Dadhiya Belar Ps-  
Karpoorigram Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap, Adv.  
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      23-08-2023              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      Petitioner apprehends his arrest in connection with a case  
registered for the offence punishable u/s 30(a) of the Bihar  
Prohibition and Excise (Amendment) Act-2018.

3.      Altogether 40.140 litres of foreign liquor is said to have  
been recovered from the chaff house situated in front of the  
house of the petitioner.

4.      Learned counsel for the petitioner submits that petitioner  
is quite innocent and has not committed any offence as alleged  
in the FIR. Petitioner has been falsely implicated in this case at  
the instance of his enemies. His name transpired in this case  
merely on suspicion. Petitioner has neither been apprehended on



the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor or the place of recovery, which is an open place and situated outside of the joint house of the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/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.25,000/- (Rupees Twenty 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 Sadar Excise P.S. Case No.336 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(i) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00/- (Rupees Ten Thousand) in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

pallavi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

