

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44850 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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PRASHANT SUMANT @ GOLU Son of Rajiv Kumar @ Nunu Singh @
Nunnu Singh @ Rajiv Kumar Ranjan Resident of village - Manjhaul, near
Referral Hospital, P.s. - Cheriya Bariyarpur, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-07-2023 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 offences punishable under Sections 30(a)(b)
and 41 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with four antecedent and allegation is of
recovery of 876.96 liters of liquor from an agricultural land near
the forest of Mahesh Singh.
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 and he came to be
implicated at the instance of officials of the Excise Department



because of his antecedents, it is next submitted that even the alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large.

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. 20,000/- (Rupees Twenty 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 Cheriya Bariyarpur P.S. Case No. 89 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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