

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55588 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- SANGRAMPUR District- East
Champaran

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SURAJ KUMAR @ RAJ KUMAR Son of Ashok Prasad Resident of Village
and P.S.-Sangrampur, District-East Champaran, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2023 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), 32
and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases.

4. Allegation is of recovery of 9 litres of liquor from a
bag found near the semi constructed house of Mohan Prasad.

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 Chawkidar with whom he is on
an inimical term. It is further submitted that even the alleged



recovery is from a place which does not belong to the petitioner and 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.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 Sangrampur P.S. Case No. 143 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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