

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54308 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Dinesh Ram S/O Ganga Ram R/O Village- Surajpur Ambedkar Tola Ward No. 7, PS. Pipra Kothi, Dist. East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Piprakothi P.S. Case No. 108 of 2023 registered for the offences punishable under Sections 272, 273 and 308 of the Indian Penal Code read with Sections 30(a) and 41(i) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 30 litres of liquor from the asbestos house of the petitioner.

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 villagers but then the FIR does not disclose the name of the person who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution, it is further submitted that even the alleged recovery was made from an open space which is accessible to public at large and is not part of the house where the petitioner or his family reside.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Piprakothi P.S. Case No. 108 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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