

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52760 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- BARUN District- Aurangabad

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PAPPU SINGH SON OF LATE SUBA SINGH RESIDENT OF VILLAGE -
BHARAT BIGHA, P.S. - BARUN, DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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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
30(c) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 100 liters of liquor concealed under the sand near
the *Diyara* area.

4. Learned counsel for the petitioner submits that the
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 *Chowkidar* with whom he is on an
inimical term, it is next submitted that it appears that the police



in mechanical manner is implicating the accused persons on the ground that the name has been disclosed by the *Chowkidar*, it is further submitted that in most of the cases, the implication is at the instance of *Chowkidar*. It is also submitted that even the alleged recovery is from a place which 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. 5,000/- (Rupees Five 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 Barun P.S. Case No. 216 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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