

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54763 of 2023

Arising Out of PS. Case No.-641 Year-2023 Thana- FORBESGANJ District- Araria

SHYAM GOSHWAMI @ SHYAM KUMAR S/O SURESH GOSWAMI R/O
VILLAGE- GOSWAMI TOLA, MATIYARI WARD NO. 7, PS.
FORBESGANJ, DISTT. ARARIA, 854318

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivesh Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-08-2023 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 49.2 liters of liquor from a shrub planted in front of the 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 names of the villagers who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution, it is also submitted that even the alleged recovery is from a place which is adjacent to the house of the petitioner and does not belong to the petitioner.

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. 1,000/- (Rupees One 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 Forbesganj P.S. Case No. 641 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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