

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55764 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- JAMUI District- Jamui

RAJ KUMAR DAS SON OF LATE DURGA DAS @ DURGI DAS
RESIDENT OF VILLAGE - MANJHAWARY, POLICE STATION - JAMUI,
DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanju Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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 272 and
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 5 litres of liquor from
the cowshed of the petitioner.

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 cowshed is an open place and is accessible to public at large and no prudent person would use his own premise for committing an occurrence and thus would create evidence against himself and hence would get implicated.

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.1,000/- (Rupees One 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 Jamui P.S. Case No. 189 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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