

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65276 of 2023

Arising Out of PS. Case No.-285 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Shiv Shankar Ram, aged about 27 years, Gender-Male, Son of Algu Ram,
Resident of Village- Chanchopali, P.S.- G.B. Nagar, Distt- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party : Mr. Mukesh Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with G.B. Nagar P.S. Case No. 285 of 2023 dated
23.07.2023 registered for the offences punishable under
Sections 30(a), 34, 36 and 37 of the Bihar Prohibition and
Excise Act, 2016 and Amendment Act, 2022.

4. As per the prosecution case, 18 litres of country
made liquor was recovered near the Water Tank.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating article has been recovered from the conscious or constructive possession of the petitioner. The petitioner has no concern either with the alleged liquor or the place of occurrence in question. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application in which he is on bail.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with G.B. Nagar P.S. Case No. 285 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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