

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74778 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- RAGHUNATHPUR District- Siwan

VIJAYBHAR BHAGAT Son of Bhikham Bhagat R/V - Rajpur, P.S -
Raghunathpur, Dist. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 14-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Learned counsel for the petitioner submits that the
defects as pointed out by the office shall be removed within a
period of two weeks.

3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

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

5. Allegation is of recovery of 15 litres of liquor from
a maize field, 22 litres of liquor from another maize field and
140 litres of liquor from a bush near the bank of Sarayu River.

6. 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 based on the secret information which is the easiest way to implicate someone, when admittedly petitioner is a person with clean antecedent. It is further submitted that petitioner is not the owner of the maize field.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. 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 Raghunathpur P.S. Case No. 188 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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