

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10790 of 2023**

Arising Out of PS. Case No.-132 Year-2022 Thana- AANDAR District- Siwan

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ARVIND KUMAR SAH @ ARVIND SAH Son of Dharmnath Shah Resident  
of Village - Parki, P.S.- Andar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Asha Devi, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      20-07-2023                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.
2. The defects as pointed out by the office are  
ignored.
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 has antecedent of two cases.
5. Allegation is of recovery of 34.200 litres of liquor  
from the backside of the house of the petitioner.
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 at the instance of the nearby villagers but then the



FIR does not disclose the name of the villagers who disclosed the name of the petitioner and even the alleged recovery is from a place which is an open place and is accessible to the villagers at large.

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.10,000/- (Rupees Ten 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 Andar P.S. Case No. 132 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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