

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6266 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- BIRPUR District- Supaul

Manalal Uranw @ Manna Uranw @ Munna Uranw Son of Late Budh Ram
Uranw R/o Village - Bishunpur Ghanshyam Jhangrahi Tola, ward no. 9, P.S.-
Balua Bazar, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawaz Shareef

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Birpur (Balua Bazar) P.S. Case No.338/2023 dated
17.10.2023 registered for the offence punishable under Sections
30(a) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. An allegation is of
recovery of 30 litres of liquor from a place behind the house of
the petitioner. It is next submitted that the petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and he came to be implicated in the case
merely because the alleged recovery is from a place which is



near the house of the petitioner. It is next submitted that even the alleged recovery is from a place which is accessible to public at large as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor from where it was recovered when admittedly the said place does not belong to him.

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

5. 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.5000/- (Rupees Five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Supaul, in connection with Birpur (Balua (Bazar) P.S. Case No.338/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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