

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8269 of 2024

Arising Out of PS. Case No.-456 Year-2023 Thana- GORAUL District- Vaishali

Monu Singh @ Niraj Kumar @ Niraj Singh Son of Kishori Singh @ Kishori Prasad Singh Ro Vill- Rukmanjari, P.O.-Rasulpur Korigaon, P.S. Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.I, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-02-2024 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 71.100 litres of liquor from *Dalan* of the house.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is also submitted that *dalan* is an open space and is accessible to public at large. It is further submitted that even the house is a joint family



property as such it cannot be alleged with certainty that it was petitioner who had kept the liquor in the house or the liquor kept in the *dalan* was within the knowledge of the petitioner.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Goraul P.S. Case No. 456 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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