

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8563 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- Excise P.S. District- Siwan

=====

DEVENDRA SAH @ DEVENDRA KUMAR SAH S/o Radhey Shyam Sah
Resident of Vill-Baldiha Teliya Tola, P.S-Jamo Bazar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Maharajganj Excise P.S. Case No.57/2023 registered for
the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 371.520 litres of liquor from a place near the house
of the petitioner. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and even alleged recovery is not from the
house of the petitioner but from a place adjacent to the house of
the petitioner, which is accessible to public at large. It is further



submitted that the petitioner came to be implicated by the local villagers but then the name of the villagers, who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Siwan in connection with Maharajganj Excise P.S. Case No.57/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

