

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11541 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- BEERPUR District- Begusarai

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Ram Kumar Chaurasiya Son of Hareram Chaurasiya Resident of Village-
Birpur, Ward No. 5, Police Station- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 01-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 18 liters of liquor from a poultry farm and a
motorcycle was also seized from the place of occurrence.
4. It is next submitted 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 fact that alleged recovery is from a place which is adjacent to his poultry farm. It is further submitted that though it is alleged that liquor was recovered from the poultry farm but then it was recovered from a place adjacent to the poultry farm as no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself. It is further submitted that petitioner is not the owner of the seized vehicle and he came to be implicated by the local people, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Birpur P.S. Case No.199 of 2023,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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