

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15721 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- JOKIHAT District- Araria

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PAPPU @ MASOOD S/O- GONAR @ GANOUR R/O- VILLAGE-
BHAGWANPUR, WARD NO.- 01, P.S.- JOKIHAT, DIST.- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rabindra Kumar Priyadarshi, Advocate
	Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 44.300 litres of
Codeine Syrup from a place outside the house of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that even the alleged recovery is from a place which is outside
the house and does not belong to the petitioner and is accessible



to villagers at large. It is next submitted that no prudent person would use his own premise for committing an occurrence and thus would create evidence against himself and hence would get implicated.

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

7. 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 court below where the case is pending/successor court in connection with Jokihat P.S. Case No. 507 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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