

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15465 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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RAMESHWAR MUKHIYA S/O SHOBHA MUKHIYA R/O VILLAGE-
HUSAINI, P.S- DUMARIYA GHAT, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Ms. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 212-03-20241. 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
Bihar Prohibition and Excise Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 35 litres of liquor from a gallon allegedly thrown by
the accused persons. 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 at the
instance of chowkidar with whom he is on an inimical term. It is
further submitted that even the alleged recovery is from a place



which is accessible to public at large and does not belong to the petitioner.

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 trial court where the case is pending/successor court in connection with Dumariyaghat P.S. Case No.95/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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