

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21441 of 2024

Arising Out of PS. Case No.-451 Year-2023 Thana- MIRGANJ District- Gopalganj

Pawan Ram Son of Vijay Ram Resident Of Vill Mahuari P.S Mahuari District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Singh

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 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 Bihar Prohibition and Excise Amendment Act, 2016-18.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 270 litres of liquor from a place near a culvert of Daha river 105 litres of liquor from a place in front of the house of Suraj Pasi. 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 from a place which is accessible to public at large and does not belong to the petitioner. It is further submitted that the petitioner came to be



implicated at the instance of chowkidar with whom he is on an inimical term. It is next submitted that if the chowkidar was aware of the involvement of the petitioner in the occurrence why he did not inform the police prior to institution of the instant case, which casts an aspersion on the case of the prosecution.

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 Mirganj P.S. Case No.451/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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