

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18255 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- BELSAND District- Sitamarhi

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Raza Alam @ Md Raza Son of Md Murtuza Resident of vill.-Belsand, Ward
No.1, P.S.-Belsand, Distt.-Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 3.735 litres of liquor from an abandoned room of
petitioner's market.

4. Learned counsel for the petitioner submits that the
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 in dilapidated condition and is not
in use but is accessible to public at large. It is next submitted that



no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that he came to be implicated based on secret information which is the easiest way to implicate someone, when petitioner admittedly is a person with clean antecedents.

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

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 trial court 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 Belsand P.S. Case No. 89 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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