

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17930 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- BHORE District- Gopalganj

SHIVJEE PASI SON OF LATE SHEOPUJAN PASI R/O-HUSSEPUR, P.S.-
BHORE, DISTT.-GOPALGANJ, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Jai Narain Thakur

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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 21.88 litres of liquor from a TVS car along with 36 litres of liquor near the door of the house of the petitioner. 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 does not belong to the petitioner and nor he is owner of the seized vehicle and he came to be implicated at the instance of chowkidar with whom



he is on an inimical term. It is next submitted that from perusal of the allegation as alleged in the F.I.R, it would manifest that the same does not disclose vividly from where 36 litres of liquor was recovered, where it was recovered from inside the house at the door or outside the door of the house of the petitioner, which further goes to demonstrate that police in mechanical manner acts.

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.5000/- (Rupees five thousand) 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 Bhore P.S. Case No.01/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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