

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5636 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- RAGHOPUR District- Vaishali

NISHANT KUMAR ALIAS SONU Son of Sri Raju Singh Kushwaha @
Rajesh Singh Resident of Village - Mile, P.s.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of about 1433.835 liters of foreign made liquor from the Bariyapur Diara near Mai Mandir.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that he has no concern with the seized liquor and no incriminating article has been recovered from the conscious or constructive possession of the petitioner. He further submits that the petitioner is a resident of village Mile which is far away from the place of occurrence and so it is not possible for the



Chaukidar to identify the petitioner but the informant has given the name of the petitioner in this case due to malafide intention. Petitioner has not been apprehended at the spot. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Raghapur (Rushtampur O.P.) P.S. Case No. 103 of 2021, Excise G.R. No. 582 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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