

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14544 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- KHANPURA District- Samastipur

NITISH KUMAR Son of Ramchandra Mahto Resident of Village - Ramnagar
Reora, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

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

Allegation is of recovery of 42.060 litres of foreign
liquor and 60 litres of Mahua from the house of the petitioner.

Submission is that petitioner was not arrested from the
spot, as such, nothing was recovered from his conscious
possession. The house is a joint family property and the
petitioner is staying outside Bihar for his livelihood but came to
be implicated merely because he is also one of the co-sharers of
the said premises. Father of the petitioner was staying in the



house and he was arrested. Petitioner has got no criminal antecedent.

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

Considering the submissions aforesaid, let 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.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khanpur P.S. Case No. 11 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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