

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19222 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Janardan Malakar, male, aged about 60 years, Son of Late Mishri Malakar,
Resident of Village - Rohari, P.S. - Meheshkhut, Distt. - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Adv.

For the Opposite Party/s : Mr./Ms. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-05-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Mehshkhunt P.S. Case No. 33 of 2022, dated 14.02.2022, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

According to the prosecution case, 69.00 litres of liquor is said to have been recovered from a public toilet, built in front of the house of the petitioner.

Such recovery, it has been argued, cannot be saddled on the petitioner and he does not have criminal



antecedents.

On these grounds, it has been urged that no offence under the Bihar Prohibition and Excise (Amendment) Act, 2018 can be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Mehshkhunt P.S. Case No. 33 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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