

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26573 of 2022

Arising Out of PS. Case No.-414 Year-2021 Thana- WARISLIGANJ District- Nawada

MITHLESH CHAUHAN @ MITLESH CHAUHAN S/O RAMJI
CHAUHAN R/o village- Dammar Bigha (Hargawan), P.S.- Manpur, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1920.345 litres of liquor kept in a cartoons from PAACS Bhawan .

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is also submitted that the alleged recovery was made from a place



which is accessible to public at large, it is next submitted that based on confessional statement of Arvind Kumar, the name of the petitioner transpired who disclosed that petitioner is dealer of illicit liquor when admittedly petitioner is a person with clean antecedent. The learned counsel next submits that it appears that the police in order to save the real culprits got the petitioner implicated who is a person with clean antecedent.

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

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. 2,000/- (Rupees Two Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Warisaliganj P.S. Case No. 414 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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