

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31392 of 2022

Arising Out of PS. Case No.-500 Year-2021 Thana- CHANDI District- Nalanda

AKASH KUMAR @ KOKAL @ KOKILA S/o Saroj Tanti @ Saroj Kumar
Resident of Village- Madhopur, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

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 offences punishable under Sections 30(a)(c) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner
has antecedent of two cases.

Allegation is of recovery of 64 litre of liquor from the
house of the petitioner which was sealed earlier in a case relating to
liquor.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in the present case and was not arrested
from the spot, as such, nothing was recovered from his conscious
possession. He further submits that from perusal of the FIR, it would



manifest that the house was sealed from before in connection with a liquor case, as such, there was absolutely no occasion for the petitioner to enter the house. He next submits that after sealing the house, it appears that the police in connivance with the Mafiya are using the premises for illegal liquor trade or else it is not possible for anyone to keep liquor without permission of the police when the premises are sealed.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Chandi P.S. Case No. 500 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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