

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32357 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- WARISNAGAR District- Samastipur

BHOLA KUMAR @ GANESH KUMAR S/o Ram Chandra Mahto Resident
of Village- Lakhan Pathi Tole (Matua), P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-11-2022 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 Section 30(a) 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 423.750 litres of liquor from Rajiv Kumar Mehto's Brinjal field and 206.100 litres of liquor from Gulab Kumar Mehto's marigold field.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that he was not apprehended from the spot as such nothing was recovered from his conscious possession, it is



next submitted that even recovery is from his place which does not belong to the petitioner and he came to be implicated based on secret information.

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. 1,000/- (Rupees One 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 Warisnagar P.S. Case No. 314 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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