

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33883 of 2022

Arising Out of PS. Case No.-557 Year-2020 Thana- ARARIA District- Araria

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IMTIYAZ ALAM S/o Md. Anwarul Haque Resident of Village- Simulia
(Kanki), P.S.- Chakulia (Kanki O.P.), District- West Dinajpur (West Bengal).
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, A.P.P

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 5778 litre of liquor from
two trucks.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. He further submits
that petitioner is neither the owner nor the driver of the vehicle



and the police falsely implicated the petitioner based on mobile no. 7718412054. He next submits that the said mobile belongs to one Sanjeev but the police falsely alleged that Sanjeev is the nick name of the petitioner. He also submits that this amply demonstrates that the police in order to save the real culprits is trying to falsely implicate a person who has 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 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 Excise Special Case No. 567 of 2020 arising out of Araria P.S. Case No. 557 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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