

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34063 of 2022

Arising Out of PS. Case No.-642 Year-2021 Thana- SONEPUR District- Saran

AVINASH KUMAR @ SUMAN KUMAR S/o Late Khiledra Rai R/o
Village- Baburbani, P.s. and P.O. Sonepur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Ranjan, Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasad, A.P.P.

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 offences punishable under Sections 30(a) and
41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

Allegation is of recovery of 300 litre of liquor from
the bank of river Ganga.

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 the alleged recovery is from a place which is accessible to



public at large. He next submits that the place from where the alleged recovery was made does not belong to the petitioner and he came to be implicated by the local people but the FIR does not disclose the name of the local people.

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 Sonapur P.S. Case No. 642 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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