

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68802 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- SHRIKRISHNAPURI District- Patna

MD. IQBAL ALAM @ MD. IQBAL Son of Md. Nayeem Resident of North
Jai Prakash Nagar, Neta Jee Lane, Patna P.S.- Rajeev Nagar, District - Patna,
State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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 6.5 litres of liquor from Phalak Singh, Chandan
Kumar, Nishant Kumar, Piyush Anand and Abhyas Kumar and
further 98.625 litres liquor is alleged to have been recovered
from the petitioner's room as such total recovery is of 105.125
litres of liquor.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing



was recovered from his conscious possession and the room from which the alleged liquor was recovered does not belong to the petitioner rather the same belongs to Vijay Kumar Sharma in whose house the petitioner was a tenant, it is next submitted that name of the petitioner transpired in the confessional statement of Piyush Anand which has no evidentiary value.

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 and the fact the petitioner is a person with clean antecedent, 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. 1,000/- (Rupees One Thousand) each 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 Shri Krishnapuri P.S. Case No. 63 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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