

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57567 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- CHANDI District- Bhojpur

NITISH KUMAR @ ADITYA KUMAR Son of Raj Kumar Yadav @ Raj Kumar Singh Resident of Village - Ramdihal Tola (Jokta), P.S.- Chandi, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 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 Sections 30(a) and 36 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 180 liters of liquor from Aahar of the village Ramdihal Tola and 800 liters of Jawa Mahua which was destroyed at the spot.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next



submitted that he came to be implicated at the behest of local people and local Chowkidar with whom he is on an inimical term. It is also submitted that it absolutely does not stand to reason that a person with clean antecedent would indulge in such activity and it appears that the Chowkidar with a view to save the real culprit falsely implicated the petitioner.

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) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chandi P.S. Case No. 229 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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