

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59062 of 2022

Arising Out of PS. Case No.-159 Year-2022 Thana- MAGADH UNIVERSITY District- Gaya

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Veena Mistry @ Subodh Kumar Son Of Parmeshwar Mistry R/O Village-
Ganghar, P.S.- Magadh University, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) and 30(c) of the Bihar Prohibition and Excise Amendment Act, 2018.

It is a case of recovery of 680 Kg. of Mahua flower and 375 ml. of English wine from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that according to decision of the Division Bench of this Court that the Mahua flower does not come within the purview of Excise Act. He further submits that petitioner is



ready to deposit Rs.20,000/- in favour of the District Legal Services Authority, Gaya. Petitioner has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail and submitted that the illicit liquor was recovered from the possession of the petitioner.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.01, Gaya in connection with Magadh University P.S. Case No. 159 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C with further condition that at the time of furnishing bail bond, the petitioner shall produce receipt of Rs.20,000/ meant to be paid to District Legal Services Authority, Gaya.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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