

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62433 of 2022**

Arising Out of PS. Case No.-163 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

ASHUTOSH KUMAR @ GOLU KUMAR S/O ASHISH MAHTO @
ASHISH PATEL Resident of village- Thumma, P.S.- Runisaipur, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh.1, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-11-2022 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 Sections 30(a), 36 and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1107.970 litres liquor from an asbestos house situated near house of one Avinash Kumar.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that it has been specifically pleaded at paragraph '7'



of the anticipatory bail application that the house does not belong to the petitioner rather belongs to one Avinash and he came to be implicated at the instance of *chowkidar* with whom his father is on an inimical term.

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. 1,000/- (Rupees One 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 Runnisaidpur P.S. Case No. 163 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

