

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65844 of 2022

Arising Out of PS. Case No.-428 Year-2022 Thana- TAJPUR District- Samastipur

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KAMLESH KUMAR @ Kamlesh Rai S/O PRABHU RAY Resident of
village - Morwa Mohanpur, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 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),
41(1) and 41(2) of the Bihar Prohibition and Excise (Amended)
Act, 2022.

Learned counsel for the petitioner submits that
petitioner has antecedent of six cases.

Allegation is of recovery of 1325.4 litres of liquor
from the vehicles as alleged in the FIR.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted



that petitioner came to be implicated based on secret information which is the easiest way to implicate some one. It is next submitted that petitioner has been implicated because of his antecedent when admittedly the alleged vehicle does not belong to 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five 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 Tajpur P.S. Case No. 428 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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