

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65312 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- BHAPTIAHI District- Supaul

Kishundeo Mehta Son Of Jagdish Mehta R/O Village- Shahpur, Ward No.3,
P.S.- Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bhaptiyahi P.S. Case no. 78 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 1188 liters illicit country made liquor from in front of Flood Relief Center situated near bank of river.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The place of recovery is an open place and petitioner has no concern either with alleged recovery of illicit liquor or with the place of occurrence. The name of the petitioner has



been surfaced in this case on basis of confessional statement of the sole apprehended co-accused namely, Abhimanyu Kumar. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhaptiyahi P.S. Case no. 78 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Supaul subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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