

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15678 of 2023

Arising Out of PS. Case No.-111 Year-2021 Thana- PARBATT A District- Bhagalpur

VIJAY MANDAL @ BIJAY MANAL SON OF LATE CHANDRADEO
MANDAL @ CHANDEV MANDAL RESIDENT OF VILLAGE- GARIYA,
PS- PARBATT A, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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 Section 30(a) 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 92.080 liters of liquor from the ancestral house of
the petitioner.

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 even the house is a joint family property, as such,



it cannot be alleged with certainty that it was petitioner who had kept the liquor in the house.

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 Parbatta P.S. Case No. 111 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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