

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23154 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- SAMASTIPUR District- Samastipur

AMARJEET KUMAR @ AMARJEET RAM Son of Late Ramashish Ram
R/V- Ambedkarnagar, Ward no. 22, PS- Samastipur Town Dist- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

Learned counsel for the petitioner submits that petitioner has antecedent of one case.

Allegation is of recovery of 10.590 litres of liquor from the house of the petitioner kept in a plastic bag.

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 even the house is a joint family property, as such, it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor kept in the house was within



the knowledge of the petitioner and he came to be implicated by the nearby people but the FIR does not disclose their name which casts doubt on the veracity of the prosecution case. It is next submitted that petitioner because of his antecedent came to be implicated.

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.5,000/- (Rupees 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 Samastipur Town P.S. Case No. 24 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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