

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23252 of 2023**

Arising Out of PS. Case No.-5 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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KAISHAV KUMAR @ KESHAW KUMAR @ KESHAW MANDAL son of
Laleshwar Mandal VILLAGE KOSHALI PATTI P.S PIPRA DISTRICT
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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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 Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 402 litres of liquor from a
Scorpio vehicle.

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 is not the owner of the alleged vehicle and he
came to be implicated based on the disclosure made by nearby



people but then the FIR does not disclose the name of any people who disclosed the name of the petitioner which creates doubt with regard to the veracity of the prosecution case when admittedly petitioner is a person with clean antecedent.

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 Excise P.R. No. 05 of 2020 corresponding to Excise Case No. 658 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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