

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27357 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- KHANPURA District- Samastipur

KAMLESH KUMAR @ KAMLI @ KAMLESH R/O-MAHESH MAHTO
R/O-Buzurgdwar, P.S.-Khanpur, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 Sections 30(a), 36 and 41(I) of the Bihar Prohibition and Excise Act, 2022.

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

Allegation is of recovery of 1022.325 litres of liquor from a pick-up van.

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 pick-up van and he came to be implicated at the instance of the Chawkidar with whom he is on an inimical term because of his antecedent. It is next



submitted that once a person is implicated in cases of liquor then police start implicating him in one case after another.

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 Khanpur P.S. Case No. 17 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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