

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26583 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- KHIJARSARAI District- Gaya

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MUKESH KUMAR SON OF OM PRAKASH PRASAD R/O VILLAGE-
MURARCHAK, P.S.- KHIZERSARAI, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Akbar Ali

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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 offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 20 liters of liquor from an orchard situated at the bank of Falgu river.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, even the alleged recovery is from a place which is accessible to public at large and the petitioner came to be implicated based on the secret



information which is the easiest way to implicate someone in order to save the real culprits. Learned counsel next submits that the petitioner because of his antecedent, got 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 trial court 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 trial court where the case is pending/successor court in connection with Khizersarai P.S. Case No. 62 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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