

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27166 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- MUSRIGHRARI District- Samastipur

ABHISHEK @ ABHISHEK KUMAR @ LAXMI SON OF RAMCHANDRA
SINGH VILLAGE BAGHI P.S SAMASTIPUR(M) DISTRICT
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, 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 offences punishable under Sections 30(a), 32,
36 and 41 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 883.08 liters of liquor from a pickup van.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be
implicated at the instance of local people, when the FIR does
not disclose the name of the local people who disclosed the



name of the petitioner which creates doubt with regard to the veracity of the allegation as alleged in the FIR, it is next submitted that petitioner is not the owner of the pickup van.

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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Musarigharari P.S. Case No. 9 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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