

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28901 of 2023**

Arising Out of PS. Case No.-26 Year-2023 Thana- PUSA District- Samastipur

BRIJNANDAN DAS @ VIJENDRA DAS Son of Late Narayan Das R/V-  
Jorpura, PS- Tajpur (Halai O.P.) Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-05-2023                      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(1), 32(2), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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

Allegation is of recovery of 5.250 litres of liquor from a motorcycle.

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 came to be implicated based on the statement of one Roshan Kumar who is not an accused in the case. It is next



submitted that the petitioner had given his motorcycle to Roshan Kumar but it appears that he managed the police and got the petitioner implicated as the petitioner is the owner of the motorcycle.

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.10,000/- (Rupees Ten 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 Pusa P.S. Case No. 26 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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