

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27919 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- FORBESGANJ District- Araria

PRITAM KUMAR S/O INDRANAND MANDAL R/O Village- Manikpur,
P.S- Forbesganj(Simraha), Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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 Section 30(a) 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 18.870 litres liquor from the house of petitioner and 8.965 litres of liquor from motorcycle found near a school of village Mirjapur.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is not the owner of the motorcycle and



he came to be implicated based on the secret information when admittedly he is a person with clean antecedent and the house from which the alleged recovery was made is a joint family property as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house.

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 Forbesganj (Simraha) P.S. Case No. 158 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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