

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29758 of 2023

Arising Out of PS. Case No.-53 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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AMIT BIND S/O MAHENDRA BIND R/O Village- Jankidih, Beldariya, P.S-
Chanan, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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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,
41 and 56(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 40 litres of liquor from a place near Nagri mountain
along with 100 litres of fermented mahua which was destroyed
at the spot.

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 based on disclosure made by independent witnesses but then name of the independent witnesses is not recorded in the FIR which creates doubt with regard to the veracity of the allegations as alleged in the FIR, it is further submitted that petitioner because of his antecedent came to be 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 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 Excise P.S. Case No. 53C2 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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