

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31883 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- FORBESGANJ District- Araria

PRAMOD MANDAL Son of Late Utim Lal Mandal Resident of village-
Bhagkohilia, Ward No. 04, Police Station-Forbesganj, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s	:	Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 19.500 litres of liquor from the courtyard of the
petitioner.

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 house which 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 or the liquor kept in the house was within his knowledge when admittedly the petitioner is a person with clean antecedent and no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated easily.

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 P.S. Case No. 174 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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