

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36264 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- PATEPUR District- Vaishali

ASHISH KUMAR S/O ANIL SINGH R/O Village- Khesrahi, P.S- Patepur,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Patepur PS Case No. 64 / 2023 dated 21.03.2023 registered under Section 30(a), 32 (ii), 38 (ii), 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. As per the F.I.R., Police on the basis of secret information that petitioner along with others have brought huge consignment of illicit foreign liquor and has kept it near the closed brick kiln of Suresh Chandra Ray, proceeded towards the place of occurrence and recovered a total quantity of 861.840 liters of foreign liquor.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of secret information. The illicit liquor in question has not been



recovered from the premises belonging to the petitioner and / or from his conscious possession. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from conscious possession of the petitioner and / or his premises and the petitioner has got clean antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Prohibition and Excise Court IInd-cum-Addl. District and Sessions Judge, Vaishali at Hajipur in connection with Patepur PS Case No. 64 / 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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