

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41182 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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KUNAL KEWAT @ KUNAL KUMAR S/O MUSO KEWAT R/O Village.
Jokmaila, PS. And Dist. Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaukat Alam, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 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), 30(c) and 45 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 135 liters of liquor from a place near a pond, further 1000 liters Jawa Mahua solution which was destroyed at the spot.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, It is next submitted



that he came to be implicated based on confessional statement of Ram Jatan Kumar and two others in police custody which does not have any evidentiary value and even the alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large.

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 trial court 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 trial court where the case is pending/successor court in connection with Excise P.S. Case No. 52C2 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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