

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39582 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- KISHANGANJ District- Kishanganj

GHANSHYAM PRASAD SINGH Son of Panchanand Prasad Resident of
village - Harwadanga, P.S. - Dighalbank, Distt. - Kishanganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Kishanganj P.S. Case no. 69 of 2023, Special Case no.113 of 2023 registered for the offence punishable under sections 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the F.I.R, on a search being conducted, 1728 litres of IMFL in 30 tetra packs was recovered from the possession of Mahbul Haque who was driving the vehicle. The petitioner herein happens to be the owner of the said vehicle.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has no



criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations, the petitioner not having been arrested at the spot and specially his not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kishanganj P.S. Case no.69 of 2023, Special Case no.113 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise-1, Kishanganj, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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