

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48249 of 2023

Arising Out of PS. Case No.-211 Year-2023 Thana- MAHUA District- Vaishali

ROHAN KUMAR @ ROHAN RAJ Son of Sanjay Singh Resident of Village
- Narangi Sarsikan (Margi), P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272,
273/34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 14.400 litres of liquor
near the *Gumati* (shop) of Amit Kumar.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which is accessible to public at large
and does not belong to the petitioner.



6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Mahua P.S. Case No. 211 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Learned counsel for the petitioner submits that the defects, as pointed out by the office, shall be removed in course of the day.

(Satyavrat Verma, J)

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