

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40476 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- WARISNAGAR District- Samastipur

MUKESH THAKUR @ MUKESH KUMAR Son of Naval Kishor Ray
Resident of village-Chandauli, P.S.-Waris nagar, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2023 Heard the parties.

2. Petitioner apprehends his arrest in connection with Warisnagar PS Case No. 94/2023 dated 22.03.2023 registered for the offence punishable under Section 30(a) of the Excise Act.

3. As per FIR, the police on the basis of secret information, that in the litchi orchard a consignment of illicit liquor has been brought on a truck and the same was being unloaded on a pickup van, arrived at the place of occurrence and upon seeing the police party, the accused persons fled away and the total quantity of 1053 litres of illicit foreign liquor was recovered from the said truck and pickup van.

4. Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of secret information received by the police. He next submits that the



vehicles seized by the police do not belong to the petitioner nor any illicit liquor has been recovered from the possession of the petitioner rather it was recovered from an open place which is accessible to all and sundry.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that the petitioner is neither the owner of the seized vehicle nor any illicit liquor has been recovered from his conscious possession, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Court, Special Judge Excise-2, Samastipur in connection with Warisnagar PS Case No. 94/2023, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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