

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44703 of 2023

Arising Out of PS. Case No.-265 Year-2021 Thana- VAISHALI District- Vaishali

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AMAR KUMAR, SON OF UPENDRA RAI, RESIDENT OF VILLAGE-
BELSAR, PS- BELSER OP, DISTT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Vaishali P.S. Case no. 265 of 2021, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on an information having been received to the effect that the five named accused persons including the petitioner herein were involved in the business of liquor by storing the same in the house of one Mahendra Rai, it is stated that a raid was conducted and approx 1657 litres of country made liquor was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. He has no concern with the seized liquor. The name



of the petitioner transpired in a secret information received by the police. He has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner's possession and the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Vaishali P.S. Case no. 265 of 2021 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 Special Excise Court no-2, Vaishali at Hajipur.

(Partha Sarthy, J)

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