

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46401 of 2023

Arising Out of PS. Case No.-1163 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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SASHI MISHRA @ SASHIBHUSAN MISHRA SON OF UMASHANKAR
MISHRA RESIDENT OF VILLAGE - MANGURAHA, PS - ARERAJ,
DIST. - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 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 30(a) and
32(3) of the Bihar Prohibition and Excise Amendment Act,
2018-22.

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

4. Allegation is of recovery of 366.125 litres of liquor
from the warehouse of TBC Cargo Private Limited.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated based on the confessional



statement of co-accused Amit Kumar in police custody which does not have any evidentiary value in the eye of law. It is next submitted that petitioner has no concern with the alleged warehouse.

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 ABP No. 2257 of 2023 arising out of Muzaffarpur Excise P.S. Case No. 1163 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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