

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49420 of 2023**

Arising Out of PS. Case No.-44 Year-2023 Thana- MUSRIGHRARI District- Samastipur

VIJAY KUMAR Son of Baleshwar Mahto Resident of Mohalla - Mohanpur  
Ward No.- 8, P.S.- Town, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate  
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      31-07-2023                      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), 32,  
36 and 41 of the Bihar Prohibition and Excise (Amendment)  
Act, 2012.

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

4. Allegation is of recovery of 4939.200 litres of  
liquor from a truck and a pickup van.

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 he came to be  
implicated based on the suspicion. Petitioner is not the owner of  
any of the seized vehicles.



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 Musarigharari P.S. Case No. 44 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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