

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50412 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- BALIGAON District- Vaishali

MUKESH KUMAR S/O Parmanand Ray R/O Village- Khoajpur Basti, P.S-
Baligaon, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nidhi Anand, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 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 and 273/34 of the Indian Penal Code and Sections 30(a), 32(ii) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases.

4. Allegation is of recovery of 655.35 litres of liquor from 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 at the instance of the Chawkidar with whom he is on an inimical term. It is further submitted that petitioner is not the



owner of the seized vehicle.

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 Vaishali (Baligaon) P.S. Case No. 78 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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