

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51430 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Awadhesh Kumar Son Of Rajkishore Rai @ Rajkishor Yadav R/O-Olipur,
Sarhanchia, P.S.-MAHINDRAWARA, Distt.-SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned Senior counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Mahindwara P.S. Case No.74 of 2023 registered for the offences punishable under Sections 30(a), 32(i)(ii), 36 and 41(i)(ii) of the Bihar Excise Act.
3. Learned Senior counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 435.24 liters of liquor from a Scorpio vehicle parked in front of Basant General Shop.
4. Learned Senior counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he



came to be implicated at the instance of *Chowkidar* with whom he is on inimical term, it is further submitted that petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned Senior counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahindwara P.S. Case No.74 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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