

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52923 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- RAXAUL District- East Champaran

SURESH MALIK S/O RAMLAL MALIK R/O VILLAGE- PREM NAGAR,
AHIRWA TOLA DOM TOLI, PS. RAXAUL (HARAIYA O.P.), DIST. EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-08-2023 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.
4. Allegation is of recovery of 15 litres of liquor from
a hut.
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 villagers but then the FIR does
not disclose the name of the villagers who disclosed the name of



the petitioner which casts an aspersion on the case of the prosecution. It is further submitted that petitioner is not the owner of the hut.

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.10,000/- (Rupees Ten 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 Raxaul (Haraiya O.P.) P.S. Case No. 18 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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