

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57691 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- AAJAM NAGAR District- Katihar

Vikram Mahaldar @ Vikram Kumar Mahaldar, aged about 25 years (Male)
Son of Ram Chaluwa Mahaldar Resident of Village - Azamnagar Mahaldar
Tola, Ward No.5, P.S. - Azamnagar, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate
For the State : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Azamnagar P.S. Case No. 174 of 2023 dated 25.05.2023
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 101.75 litres of
foreign liquor was recovered from the house of co-accused
Kanhaiya Kumar, who has disclosed the name of the petitioner
who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has no
concern with the recovered liquor and the co-accused has



falsely implicated his name in this case. The petitioner has no criminal antecedent. There is no recovery from the conscious possession of the petitioner.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, Exclusive Special Excise Court No. 2, Katihar in Azamnagar P.S. Case No. 174 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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