

Arising Out of PS. Case No.-134 Year-2023 Thana- VAISHALI District- Vaishali

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... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s :	Mr.Rajeev Ranjan No.II Mrs. Anjana Gupta Mrs. Priyanka Kumari Mrs Kumari Rupa
For the Opposite Party/s :	Mr.Rana Randhir Singh

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2 22-09-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Vaishali P.S. Case No. 134 of 2023 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, there is alleged recovery of 169.080 litre foreign liquor from the field. It is further alleged that on seeing the police personnel three persons tried to flee away but one of the co-accused Ratnesh Kumar was apprehended and he disclosed the name of petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that petitioner has neither concern with the alleged recovered liquor nor the alleged place of occurrence belongs to the petitioner. Petitioner was not present on the spot. Learned counsel further submits that seizure list has not been made as per law. He further submits that except suspicion and confessional statement of co-accused Ratnesh Kumar, there is nothing on record to connect the present petitioner with the alleged occurrence. Learned counsel further submits that in the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The 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, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II-cum-Addl. District and Sessions Judge, Vaishali



at Hajipur in connection with Vaishali P.S. Case No. 134 of 2023,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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