

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65571 of 2023

Arising Out of PS. Case No.-606 Year-2023 Thana- Excise P.S. District- Aurangabad

Bikash Kumar @ Vikash Kumar Son Of Krishna Singh @ Krishan Kumar
Singh Village- Munshi Bigha, Ps- Barun, Dist- Aurangabad (BIHAR)
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise P.S. Case No. 606 of 2023 dated 30.07.2023 instituted
for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. The allegation is recovery of total 157.140 litres
illicit foreign liquor from the community hall situated behind
the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
from the possession of the petitioner. Petitioner has no concern
with the seized liquor. Learned counsel for the petitioner



submits that only on the basis of the suspicion and secret information, the petitioner has been made accused in this case. Learned counsel for the petitioner submits that no one has identified the petitioner. There is no independent witness of this case. Learned counsel for the petitioner submits that petitioner has not been arrested from the spot. Lastly, it has been submitted that petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Excise P.S. Case No. 606 of 2023, he will be released on anticipatory 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 Special Judge, Excise II, Aurangabad (Bihar) subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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