

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5860 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- RAUTA District- Purnia

Laxmi Prasad @ Laxmi Prasad Ghosh Son of Late Shantan Prasad @
Narayan Ghosh R/o vill - Charakpara, P.S. - Rauta, Distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 5.400 litres of liquor from a hut
which is alleged to belong to the petitioner.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is also submitted
that a specific pleading has been made at Para-18 of the



anticipatory bail application that the place from where the alleged recovery was made, does not belong to the petitioner, but the police in mechanical manner implicated him based on secret information, which is the easiest way to implicate an innocent person.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Court No.2, Purnea in connection with Rauta P. S. Case No.189 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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