

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7539 of 2024

Arising Out of PS. Case No.-859 Year-2023 Thana- Excise P.S. District- Lakhisarai

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BISHWAJIT KUMAR @ GUDDU KUMAR Son of Suresh Singh Resident of Village-Mokama, Police Station-Mokama, District-Patna. At present Santar Mohalla, Ward No. 13, Police Station-Lakhisarai, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaukat Alam

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Lakhisarai Excise P.S. Case No.859C2/2023, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 73.785 litres of liquor from a waste garbage. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which is accessible to public at large he came to be falsely implicated at the instance



of local people but then the name of local person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of prosecution.

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

5. 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-V-cum- Special Excise Court-II, Lakhisarai in connection with Lakhisarai Excise P.S. Case No.859C2/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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