

Arising Out of PS. Case No.-604 Year-2023 Thana- RAJIVNAGAR District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 30(e) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a businessman.

4. Allegation is of recovery of 200 ml. of liquor along with 3 empty bottles from the Hotel Castle Inn.

5. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the hotel. It is



further submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time will bring disrepute to the business. It is next submitted that petitioner was completely unaware that the guest who had booked the room would misuse the premises in the manner as alleged, when petitioner admittedly is a person with clean antecedent.

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

7. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajiv Nagar P.S. Case No. 604 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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