

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8580 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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VISHAL KUMAR S/O- LALBABU RAY @ PREM KUMAR RAY R/O-
VILLAGE- LAGUNIYA SURYKANTH, WARD NO.- 01, P.S.- MUFASSIL,
DIST.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Samastipur (Mufassil) P.S. Case No.500/2023 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 172.08 litres of liquor from a place near a railway
crossing. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he came to be implicated at the instance of
chowkidar with whom he is on an inimical term. It is further



submitted that even alleged recovery is from a place which is accessible to public at large.

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 Exclusive Special Judge, Excise-1, Samastipur in connection with Samastipur Mufassil P.S. Case No.500/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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