

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9362 of 2024

Arising Out of PS. Case No.-358 Year-2023 Thana- SALAKHUA District- Saharsa

Rajesh Mukhiya SON OF Mahendra Mukhiya RESIDENT OF VILLAGE-
KHURSHAN, PS- SALKHUA, (OP BANWA ITAHRI), DIST- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Salkhua P.S. Case No.358/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 30 litres of liquor from a place near bank of a river.
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 and he came to be implicated by local people but
then the name of the person who disclosed the name of



petitioner is not disclosed in the F.I.R, which casts an aspersion on the case of the 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 Sessions Judge-II-cum-Special Judge, Excise, Saharsa in connection with Salkhua P.S. Case No.358/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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