

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10264 of 2024

Arising Out of PS. Case No.-47 Year-2023 Thana- ADAPUR District- East Champaran

Sandeep Kumar Son of Krishna Rai @ Krishan Rai R/o vill - Tikuliya, P.S. -
Aadapur, Distt. - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Aadapur P.S. Case No.47/2023 registered for the offence
punishable under Sections 30(a), 32, 41(1) of Bihar Prohibition
and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of
recovery of 95.100 litres of liquor from a wheat field. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and the
alleged recovery is from a place which is accessible to public at
large and does not belong to the petitioner and he came to be
implicated by the 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 the prosecution. It is also submitted that the police in order to save the real culprits falsely got the petitioner implicated because of his antecedents.

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.15000/- (Rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Motihari, Eat Champaran in connection with Aadapur P.S. Case No.47/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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