

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10639 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- MANSAHI District- Katihar

Masomat Kali Devi, female, aged about 50 years, W/o Late Shankar Sah R/o
Pakariya, P.S.- Mansahi, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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 a case regis-
tered for the offences punishable under Section 30(a) of the Bi-
har Excise Act.

3 Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 40 litres of liquor along with 50 litres of half manu-
factured liquor from a place behind the house of the Petitioner.

4 Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was re-
covered from his conscious possession and even alleged recov-
ery is from a place which is accessible to public at large and
does not belong to the petitioner and he came to be implicated at



the instance of local people, but then the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent. It is also submitted that the petitioner was implicated merely for the reason that the alleged recovery was from a place which is adjacent to his house.

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

6 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 trial court 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 trial court where the case is pending/successor court in connection with Mansahi P.S. Case No. 205 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

