

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11303 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- RAUTARA District- Katihar

Ajit Kumar @ Ajit Uraon Son of Late Ramlal Uraon R/o- Kothi Tola, Pal-
taniya, Ward No.-3, P.S.- Rautara, Dist.- 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. Md. Anzarul Haque Sahara, APP

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 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 10 litres of liquor from the house of the petitioner
along with other articles.

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 after the amendment
in the Excise Act in the year 2018, the concept of deemed pos-
session and presumed offender has been done away with. It is



further submitted that he came to be implicated at the instance of local villager, 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.

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 Rautara P.S. Case No. 112 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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