

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16688 of 2024

Arising Out of PS. Case No.-726 Year-2023 Thana- BIDUPUR District- Vaishali

Sunny Kumar S/o Surendra Rai R/o vill – Mail, P.S. - Bidupur, Distt. -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 35 litres of liquor from
a place near the bank of River Ganga.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even 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 at the instance of the Chawkidar with whom he is on



an inimical term.

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

7. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bidupur P.S. Case No. 726 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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