

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16394 of 2024

Arising Out of PS. Case No.-613 Year-2023 Thana- KESARIA District- East Champaran

Braj Kishore Patel @ Brij Kishore Patel S/O Late Sitaram Patel R/O Village-
Siswa Patna Kathari Bajar, P.S- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 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 offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 15 liters of liquor from a shop.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession. It is further submitted that since the shop belongs to the petitioner as such he has been implicated in the instant case. It is also submitted that petitioner sales meat and rice and people come to eat the



same and it appears that some customers might have come with the liquor for consumption and the said liquor might have been seized. It is further submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time will bring disrepute to the business, 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kesariya P.S. Case No. 613 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

lata/-

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

