

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14559 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- PARSAUNI District- Sitamarhi

Vinay Jaiswal S/o Jay Mangal Chaudhary Resident of Village- Parsurampur
Police Station- Parsauni District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of total
recovery of 208.230 liters of liquor from a paddy field.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner. It is next submitted that 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 cast an aspersion on the case of the prosecution, as it appears that police in order to save the real culprit falsely got the petitioner implicated, because of his antecedents.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court No.2, Sitamarhi in connection with Parsauni P.S. Case No.171 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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