

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23331 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Pradeep Kumar Jaiswal @ Pradeep Kumar Son of Late Mangal Prasad R/o
Village- Ghorasahan infront of Mateshwari Mandir, P.S.- Ghorasahan,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-04-2024 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, 2022.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 33.500 litres of liquor
from a shop and 7.500 litres of liquor from a place near the house
of Jumai Mian.
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 does not belong to the petitioner. It



is further submitted that petitioner came to be implicated based on the disclosure made by the local people but then the police in majority of the cases are implicating the innocent persons either at the instance of the Chawkidar or the local people. It is next submitted that if the local person was aware of the involvement of the petitioner in the occurrence then whey the police was not informed prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

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 Ghorasahan P.S. Case No. 90 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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