

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23324 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- ISUAPUR District- Saran

AKHILESH PANDIT S/O LALBABU PANDIT @ SHIVNATH PANDIT
R/O VILLAGE- NIPANIYA, P.S-ISUAPUR, DISTT.- SARAN (CHAPRA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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 427.680 litres of liquor from the dalan of Sampat Pandit.

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 is neither related nor has any connection with Sampat pandit and petitioner came to be



implicated at the instance of the Chawkidar. It is next submitted that the police in majority of the cases are implicating the innocent persons at the instance of the Chawkidar in mechanical manner. It is thus submitted that if the Chawkidar was aware about the involvement of the petitioner in the occurrence then whey he did not inform the police 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 Isuapur P.S. Case No. 22 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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