

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31882 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- MALI District- Aurangabad

Subodh Kumar Son of Ganesh Mehta @ Ganesh Mahto Resident of Village-
Kansh @ Kos, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
		Ms. Rupa Kumari, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mali P.S. Case No. 48 of 2024 instituted under Section
30(a) of the Bihar Prohibition & Excise Act (Amendment),
2022.

3. As per the prosecution case, 18 litre beer and 750
foreign wine i.e. 18.750 litres has been recovered from a dash of
the motorcycle. Co-accused Sandeep Kumar has been arrested
on the spot and he disclosed the name of the petitioner that
petitioner has fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner has no concern with the seized motorcycle and also no concern with the co-accused Sandeep Kumar. He further submits that except the disclosure statement made by the co-accused, there is nothing material against the petitioner. The petitioner has one criminal antecedent in which he is on bail and he undertakes to co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise Court No.-2nd, Aurangabad/Concerned Court Below in connection with Mali P.S. Case No. 48 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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