

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43516 of 2024

Arising Out of PS. Case No.-950 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Anant Kewat @ Anand Kewat S/o Late Gopali Kewat R/o Village- Gangta,
P.S.-Lakhisarai, District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in connection with Lakhisarai (Amahara) P.S. Case No. 950 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 50 liters of illicit country made liquor from the bushes and the name of the petitioner has been disclosed by the local chowkidar.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the first information report. Petitioner has inimical terms with the local chowkidar and due to that he has disclosed the name of this petitioner. Nothing has been recovered from the possession of this petitioner. Petitioner has no concern with the bushes which is in the east side of the village Gangta and the same is accessible to all. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner has criminal antecedent of two cases in which he is on bail.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge IV-cum-Exclusive Special Excise Court I, Lakhisarai in connection with Lakhisarai (Amahara) P.S. Case



No. 950 of 2023, subject to the conditions as laid down under
section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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