

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55400 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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Ajay Mishra @ Ajay Kumar @ Ajay Kumar Mishra son of Late Harishankar
Mishra Village- Babu Tola Malahi Ps- Malahi Dist- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Govindganj P.S. Case no. 211 of 2024, registered under section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per the prosecution case, 4.860 litres of liquor was recovered from the bag left behind by the petitioner and the co-accused. The same was identified by the local *chowkidar*. The petitioner managed to escape.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. The allegation that the bag in question containing liquor was left behind by the petitioner and he managed to escape are absolutely false and concocted. He has been falsely



implicated in the case by the local *chowkidar* and others. He has no antecedent under the Bihar Prohibition & Excise Act, 2016.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., no incriminating article having been recovered from his possession and the petitioner not having any antecedent under the Bihar Prohibition & Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Govindganj P.S. Case no. 211 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Special Judge, Excise Court no.1, Motihari, East Champaran.

(Partha Sarthy, J)

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