

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59662 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- VIDYAPATINAGAR District- Samastipur

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Anjesh Kumar Son of Lalu Mahto @ Lalu Prasad Mahto Village- Bibhutipur,
Dumri, Ps- Bibhutipur, Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Vidyapati Nagar P.S. Case No. 46 of 2024 instituted for
the offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 52.920
litres of Indian made foreign liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot. The name of the



petitioner transpired in this case on the basis of the disclosure made by the co-accused person who was apprehended on the spot. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Bench vide order dated 07.05.2024 passed in Cr. Misc. No. 34482 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vidyapati Nagar P.S. Case No. 46 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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