

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58722 of 2024

Arising Out of PS. Case No.-322 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Pintu Khalifa @ Pankaj Son of Vishwanath Khalifa R/O- Kulipara, Rahmat
Nagar, Ward No. -20, P.S.- Katihar Nagar, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Ms. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 219-08-2024
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 Bihar Prohibition
and Excise Act, 2016 (18).

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of recovery of
62.98 litres of liquor from a kiosk on the land of the petitioner. It is
next submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and he was
already in custody in connection with Katihar Excise P.S. Case
No.307/2024 and he came to be implicated based on disclosure made
by the local people but then the F.I.R. does not disclose the name of
the person who disclosed the name of the petitioner in the F.I.R,
which casts an aspersion on the case of prosecution. It is also



submitted that police starts implicating mechanically once a person is implicated in a case relating to excise.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katihar Nagar P.S. Case No.322/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than five cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

