

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73465 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- MAIRWAN District- Siwan

Rishidev Kushwaha @ Rishidev Kumar S/O Udaychand Bhagat @
udaychand Singh Resident Of Village- Siswa Khurd, P.S- Mairwa, Distt.-
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-11-2024

1. Heard learned counsel for the parties.
2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Mairwan P.S. Case no.248 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per allegation in the F.I.R, 1.4 litres of liquor was recovered from the house of the petitioner and the petitioner managed to escape.
4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from his house. No independent witness has supported the



prosecution case and the petitioner has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the quantity of liquor allegedly recovered being 1.4 litres together with the petitioner not having any antecedent under the Bihar Prohibition and 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 Mairwan P.S. Case no.248 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 Exclusive Special Judge Excise Court no.1, Siwan.

(Partha Sarthy, J)

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