

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73050 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- PIRPAINTI District- Bhagalpur

RAJESH KUMAR MANDAL SON OF SONELAL MANDAL RESIDENT
OF VILLAGE- OLAPUR, P.S.-PIRPAINTI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Pirpainti P.S. Case No.235/2023 dated 05.07.2023
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. An allegation is of
recovery of 750 ml. of liquor from a motorcycle. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession. It is also
submitted that no prudent person would use his own vehicle for
committing an occurrence and thus would create evidence
against himself. It is next submitted that petitioner was



completely unaware that his friend who had taken the motorcycle would misuse the vehicle in the manner as alleged.

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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-12-cum-Special Judge Excise-II, Bhagalpur in connection with Pirpainti P.S. Case No.235/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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