

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5500 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- BELDOUR District- Khagaria

Atwari Kumar Mandal SON OF BABJAN MANDAL @ BABJAN SINGH
RESIDENT OF BARUN PS -BELDOUR DISTRICT -KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Beldour P.S. Case No.286/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. An allegation is of
recovery of 15 litres of liquor from a motorcycle. It is next
submitted that the petitioner is not the owner of the motorcycle
nor he was arrested from the spot as such nothing was recovered
from his conscious possession and he came to be implicated at
the instance of Ramanand Singh in police custody, which does
not have any evidentiary value in the eye of law.



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 Special Excise Judge-II, Khagaria in connection with Beldour P.S. Case No.286/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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