

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83487 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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MEHSAR IMAM @ Md. MAHSAR ALAM SON OF MD. AKHTAR @
AKHTAR ALI RESIDENT OF VILLAGE - PAHARPUR WARD NO. 3, P.S.
- BAKHTIYARPUR, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 15.5 litres illicit cough syrup has been recovered from bamboo clump situated behind the house of petitioner.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner and he has been made accused only on suspicion. Recovery has been made from an open place, accessible to all. Petitioner has got one criminal antecedent of



similar nature in which he is on bail.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge Excise, Saharsa in connection with Bakhtiyarpur P. S. Case No. 182 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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