

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85418 of 2024

Arising Out of PS. Case No.-361 Year-2024 Thana- DEEPNAGAR District- Nalanda

Mithun Kewat @ Mithun kumar Son of Arvind Kewat Village -Sipah PS
-Deepnagar District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Pramod Kumar Sinha, Advocate
For the State : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, 40 litres country made liquor, two country made pistols and a black *Pulsar* motorcycle has been recovered from the spot.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. Petitioner is neither owner nor driver of the vehicle in question. Petitioner claims



clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned District and Additional Sessions Judge-V-cum-Special Judge Excise-I, Nalanda at Biharsharif, in connection with Deepnagar P.S. Case No. 361 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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