

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2209 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- PANCHRUKHI District- Siwan

SUNIL KUMAR Son of Late Chhotelal Prasad Resident of village- Ukhai
Purab Patti, Police Station - Sarai O.P., District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30 (a), 34(b), 36, 41 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 30 liters of country made liquor has been recovered from the bank of Bandh situated in the Chour of village.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery rather the recovery has been made from an open place accessible to all. Petitioner has got clean antecedent.



Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Additional Sessions Judge-I-cum- Special Judge, Excise Act, Siwan in connection with Pachrukhi (Sarai) PS case No. 229/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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