

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4572 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

SURENDRA KORA Son of Naru Kora Resident of Village - Khudlban, P.S.-
Piribazar, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Piribazar P.S. Case no. 188 of 2021 instituted for the offence under Sections 30(a)(b)(c) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 30 litres of Mahua wine from a forest area near pahari.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The alleged recovery has been made from an open area. Petitioner has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been



disclosed in this case by a local chowikadar, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Piribazar P.S. Case no. 188 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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