

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10935 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- RAGHUNATHPUR District- Siwan

1. RAJENDRA BHAGAT SON OF BACHU BHAGAT @ BAICHU BHAGAT
RESIDENT OF VILLAGE- KHUGHWA, P.S.- RAGHUNATHPUR,
DISTRICT- SIWAN
2. MUNNA BHAGAT @ RAM BABU BHAGAT S/O RABINDRA BHAGAT
RESIDENT OF VILLAGE- KHUGHWA, P.S.- RAGHUNATHPUR,
DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-08-2022 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 Raghunathpur P.S. Case no. 243 of 2021 instituted for the
offence under Sections 30(a) and 30(c) of the Bihar Prohibition
of Excise Act.

Prosecution case relates to recovery of 10 litres mahua
wine near the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery or with the place of occurrence. The alleged recovery has been made from an open place, adjacent to the house of the petitioner, easily accessible to public. 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 Raghunathpur P.S. Case no. 243 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 Additional Sessions Judge II -cum- Special Judge, Excise Court- 2 , Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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