

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10138 of 2022**

Arising Out of PS. Case No.-940 Year-2021 Thana- KHAGARIA District- Khagaria

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RAMCHANDRA SINGH Son of Late Banarsi Singh Resident of Village-
Sauraydih,P.S.- Muffasil,District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 24-08-2022 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 Khagaria (Muffasil) P.S. Case no. 940 of 2021 instituted
for the offence under Section 30(a) of the Bihar Prohibition of
Excise Act.

Prosecution case relates to recovery of 30 litres of
country made liquor from the field of brinjal, allegedly belongs
to 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 land belongs to one Gudiya Devi and she has given the said land on lease to this petitioner, which is mentioned in para 1- of the case diary but there is no consistent evidence that this land was taken on lease by this petitioner. 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 Khagaria (Muffasil) P.S. Case no. 940 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 Special Judge Excise-1st, Khagaria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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