

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23320 of 2021

Arising Out of PS. Case No.-495 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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KRISHNA KUMAR Son of Manoj Mahto Resident of Village - Gola Bandh
Road, P.S.- Town Muzaffarpur, Distt.- Muzaffarpur. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Sagar
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Muzaffarpur Town P.S. Case no. 495 of 2020 instituted for
the offence under Sections 30(a) of the Bihar Prohibition of
Excise Act.

The prosecution case relates to recovery on 17.64
litres of illicit liquor adjacent to 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. Nothing has been recovered from conscious and constructive possession of the petitioner rather the same has been recovered from the heap of the garbage adjacent to his house.

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 Muzaffarpur Town P.S. Case no. 495 of 2020, 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, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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