

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16065 of 2022**

Arising Out of PS. Case No.-673 Year-2021 Thana- DAUDNAGAR District- Aurangabad

RAM BINAY SHARMA S/o Late Padum Sharma Resident of Village-  
Arai,P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. advocate  
For the Opposite Party/s : Mr. Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      15-07-2022                      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), of the Bihar Prohibition & Excise Act.

As per the prosecution case, 4.4 liter of country made liquor and 1.5 liter of foreign liquor has been recovered from the Nad situated in the cattle shed of this petitioner.

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. It is further submitted that recovery has been made from Nad situated in the cattle shed of petitioner, which is 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-IX-cum- Special Judge, Excise Act-II, Aurangabad in connection with Daudnagar PS case No. 673/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

**(Prabhat Kumar Singh, J)**

BKS/-

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