

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32482 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- SIKARPUR District- West Champaran

RAHUL KUMAR Son of Shambhu Das Resident of Village- Pipra, Diuliya
Ward No.-25, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2022 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 Shikarpur P.S. Case no. 40 of 2021 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 2.200 litres of country made liquor from the field of the Shambhu Paswan.

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. Neither the petitioner was arrested on spot nor any



incriminating article has been recovered from his conscious 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 Shikarpur P.S. Case no. 40 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, West Champaran, Bettiah subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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