

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24314 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- BARHIYA District- Lakhisarai

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SURAJ KUMAR SOSN OF BHARAT RAM RESIDENT OF-
GOLBHATTA, P.S.- BARAHIYA, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.A.PP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-08-2022 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 Barahiya P.S. Case no. 02 of 2022 instituted for the offence
under Section 30(A) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of three litres
from a bush 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 name of the petitioner has been disclosed in this
case by the co-villagers before the police, which has got no



evidentiary value in the eye of law. 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 considering the meager amount of recovery, 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 Barahiya P.S. Case no. 02 of 2022, 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 Sessions Judge IV-cum-Special Excise Court-I, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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