

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30179 of 2022

Arising Out of PS. Case No.-248 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Ramji Kumar Son of Late Chandradeo Ray Resident of Village-Chak Mahesi,
P.S.-Maniyari, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 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 Kazi Mohammadpur P.S. Case no. 248 of 2020 instituted
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of 17.280 liters
illicit India made foreign liquor from the motorcycle bearing
Reg. No. BR06BM4905.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. It is further



submitted that the recovered motorcycle was already sold by the petitioner to one Ramesh Kumar prior to alleged occurrence, but the ownership could not be transferred during this period which is mentioned para 10 of the petition. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of liquor or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession.

The petitioner is directed to deposit a sum of Rs. 10,000/- in the DLSA of the concerned district.

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 Kazi Mohammadpur P.S. Case no. 248 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, Court No.1, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
10,000/- (Rs. Ten thousand) by the petitioner in account of the
concerned DLSA.

(Sunil Kumar Panwar, J)

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