

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33714 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- SIKARHATTA District- Bhojpur

Ravi Kumar Son Of Mohan Kumar Singh R/O Village- Dedha, P.S.-
Charpokhari, District- Bhojpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajendra Nath Sinha, Advocate

For the Opposite Party : Mr.Anand K Choudhary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 30a of the Bihar
Prohibition and Excise Act.

Prosecution case is that 50 liters country made liquor
was recovered from the motorcycle.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
connected with the aforesaid recovery. Petitioner is not the
owner of the vehicle in question. The mandatory provision of
law for search and seizure given under section 100 Cr.P.C. has
not been followed. Petitioner has got no criminal antecedent.

Considering the facts of the case, in the event of



arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge XI cum Exclusive Special Excise Court No.XI, Bhojpur at Ara in Sikarhata Police Station Case No. 45 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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