

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38335 of 2022**

Arising Out of PS. Case No.-19 Year-2018 Thana- BARACHATTI District- Gaya

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ARJUN PRASAD SAO @ ARJUN SAO S/O PYARE LAL SAO Resident of
Village- Sobh, P.S.- Barachatty, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshansh Ankit

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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

2 23-09-2022 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, 280 Kg of Mahua flower
has been recovered from five abandoned motor cycles. It is
alleged that petitioner is owner of one of the motor cycles.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case only on suspicion. No incriminating article has been
recovered from the conscious possession of the petitioner and he
is no way concerned with the alleged recovery. Petitioner is
neither driver nor owner of the vehicles in question. 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 Exclusive Special Excise Court-2, Gaya in connection with Barachatty PS case No. 19/ 2018, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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