

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40574 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Chandan Kewat Son Of Binod Kewat Resident Of Village - Jogmaila, P.S.-
And Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Raju
For the Opposite Party/s : Mr. Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-12-2022 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 Excise Case No. 50 C²/2022 instituted for the offence
under Sections 30(a), 32, 41 and 56(a) of Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of total 25 liters
country made liquor from a hut which belongs to co-accused
Ram Chandra Kewat.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. It is further submitted that he has got



no criminal antecedent and has been falsely implicated in the present case. He has no concern either with the alleged recovery of liquor or with the place of occurrence. It is further submitted that the name of the petitioner has been disclosed in this case by the apprehended co-accused namely, Prahlad Kewat, which has no evidentiary value in the eye of law. 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 Excise Case No. 50 C²/2022, 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 Additional District & Sessions Judge-V cum Exclusive Special Excise Court No. 02, 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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