

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43295 of 2022

Arising Out of PS. Case No.-766 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

=====

PAWAN KUMAR SON OF BUCHI SAH R/O VILLAGE- ADARSH
NAGAR, WARD NO.-08, P.S.- MADHEPURA, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

=====

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 Excise Case P.S. Case no. 766 of 2021 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of 62.31 litres
IMFL which was kept in three bags behind the college near
water tank.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Alleged recovery took place from an open area, which



was easily accessible to all. Petitioner has no concern with the alleged recovery or with the place of occurrence. 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 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. 766 of 2021, 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 Sessions Judge 4th-cum-Special Judge, Excise Act, Madhepura subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

