

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42968 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- BALIGAON District- Vaishali

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MUNNA RAI @ SHIVAM KUMAR @ MUNNA S/O SUNIL RAY Resident
of village- Imadpur, P.S.- Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2022 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 Baligaon P.S. Case no. 32 of 2022 instituted for the offence
under Sections 30(a), 32(ii), 41(i) of the Bihar Prohibition of
Excise Act.

Prosecution case relates to recovery of 90 litres of
IMFL from the maize field.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. 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 Baligaon P.S. Case no. 32 of 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 Exclusive Special Excise Court No. 1-cum-Addl. District and Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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