

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45463 of 2022**

Arising Out of PS. Case No.-308 Year-2021 Thana- BISFI District- Madhubani

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Irfan Alam Son Of Abdul Mallik Resident Of Ward No. 08, Village -
Kapasiya Tole Pokhrauni, P.S.- Kaluahi, District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 11-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 272, 273/34 of the Indian Penal Code and

Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 30 litres of illicit country

made liquor from a motorcycle. The petitioner is owner

of the motorcycle.

It is submitted by learned counsel for the

petitioner that petitioner was not apprehended from the

spot. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has sold his vehicle to one Pradeep Kumar on 06.03.2015. The photocopy of the sale document is annexed as Annexure-2 series. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the District Legal Services Authority, Madhubani.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Bisfi P.S. Case No. 308 of 2021, subject to the conditions as laid down under Section 438(2) of the



Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority, Madhubani.

(Sunil Kumar Panwar, J)

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