

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47564 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- NTPC KHAIRA District- Aurangabad

Baidyanath Prasad Son Of Late Vishwanath Saw R/O Village- Sirha, P.S.-
Pandu, District- Palamu (Jharkhand)

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Rabindra Kumar

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

There is recovery of 0.750 litres of Indian made foreign liquor from a motorcycle and three person was apprehended who disclosed their name as Praween Kumar Baidya, Krishana Murari Baidya, Shiv Shankar Baidya. They also disclosed the name of petitioner.

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 name of the petitioner surfaced only because he is the registered owner of the motorcycle in question. The petitioner has no concern either with the seized illicit liquor or with the co-accused persons. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case and considering the recovery of meagre quantity of liquor, 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 Special Judge (Excise), Aurangabad in connection with N.T.P.C Khaira P.S. Case No. 35 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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