

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51879 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- BAISI District- Purnia

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Rajdular Poddar S/o Ramdeo Poddar Resident of Ward No.2, Kaith, P.S.-
Barauni, District- Begusarai. At present residing of - Goursingh Jote,
Kharibari, Uttar Rampradhan, P.S.- Siliguri, District- Darjiling (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Baisi P.S. Case no. 165 of 2022 instituted for the offence
under Sections 272, 273 of the Indian Penal Code and Section
30(a), 41, 47 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 12 liters illicit
liquor from a Maruti vehicle bearing Registration No. WB 74
BG-2905.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The name of the petitioner has falsely been dragged in



this case. He has got no criminal antecedent. It is admitted fact that petitioner is the registered owner of the said vehicle but he has no concern with the alleged recovery of illicit liquor. It is further submitted that 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.

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

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 Baisi P.S. Case no. 165 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 Special Excise Judge Court No.1, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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