

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52510 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Nikesh Kumar Son Of Uma Shankar Sah R/O Village- Katalpur, P.S.- G.B.
Nagar, Dist.- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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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 G.B. Nagar P.S. Case no. 120 of 2022 instituted for the
offence under Sections 30(a), 41(I) of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of 166.758 liters
country made foreign liquor from a Scorpio vehicle Bearing
Reg. No. BR24P0750.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner has no concern with the alleged recovery of
illicit wine or with the place of occurrence. It is submitted vide



para 6 of the petition that the recovered vehicle does not belong to the petitioner. 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.

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 G.B. Nagar P.S. Case no. 120 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 Judge Excise-1, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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