

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54556 of 2022

Arising Out of PS. Case No.-347 Year-2022 Thana- NAUTAN District- West Champaran

Badri Mukhiya Son Of Chokat Mukhiya Resident Of Bariyarpur Bintoli, P.S-
Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 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 Nautan P.S. Case no. 347 of 2022 instituted for the offence under Sections 30 (a), 30 (d) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 5 litres of country made liquor and one person was apprehended from spot. He disclosed his name as Dhanish Kumar. Co-accused Dhanish Kumar named the petitioner as a person who fled away from the place of seizure.



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. He has no concern either with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested 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 Nautan P.S. Case no. 347 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, West Champaran



subject to the conditions as laid down under section 438(2)
of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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