

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53640 of 2022

Arising Out of PS. Case No.-907 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rajan Kumar S/o Dinesh Sah R/O- Village- Basdila Khas, P.S- Gopalganj,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 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 Gopalganj Town P.S. Case no. 907 of 2021 instituted for
the offence under Sections 30(a), 41(1) of the Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of total 13.4 liters
illicit liquor near garden of Shiv Mandir.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case on the basis
of mere suspicion. He has got no criminal antecedent. Petitioner
has no concern with the alleged recovery of illicit liquor or with
the place of occurrence. The name of the petitioner has been



disclosed in this case by local chaukidar saying that the fleeing away person from the place of occurrence was 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 Gopalganj Town P.S. Case no. 907 of 2021, 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 Additional Sessions Judge II-cum-Special Judge Excise-I, Gopalganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Sunil Kumar Panwar, J)

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