

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54867 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- ANDHRATHARHI District- Madhubani

Ajay Pradhan @ Ajay Kumar Pradhan Son of Ram Sevak Pradhan @ Ram
Nath Mahto Resident of Village- Andhara, Andhratharhi, Police Station-
Andhrathari, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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 Andhratharhi P.S. Case no. 100 of 2022 instituted for the offence under Sections 272, 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 16 liters country made foreign liquor from adjacent house of the petitioner.

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. Petitioner has no concern with the alleged recovery of illicit liquor or with



the place of occurrence. The place of occurrence is an open place which does not belong to this 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 Andhratharhi P.S. Case no. 100 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 Excise Court, Jhanjharpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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