

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55189 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- CHANAN District- Lakhisarai

MASUDAN KODA Son of Late Doman Koda R/V- Chairoun Kodasi, P.S-
Chanan, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Ashok Kumar Singh

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 Chanan P.S. Case no. 93 of 2022 instituted for the offence under Sections 30(a)(b)(c) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 10 liters country made liquor from Chairoun Kodasi forest hill area.

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 on the basis of mere suspicion. He has got no criminal antecedent. Petitioner was not present at the place of occurrence and he 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. 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 considering the fact that recovery of illicit liquor is meagre in quantity, 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 Chanan P.S. Case no. 93 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 Additional District and Sessions Judge-IV-cum-Special Excise Court, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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