

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63721 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Kanhaiya Pasi S/O Late Laddu Pasi Resident Of Village- Kuwahi, P.S.-
Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Excise Case No. C–III–258 of 2021 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

Prosecution case relates to recovery of total 30 liters
illicit country made liquor behind the 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 got no criminal antecedent. He has no concern
either with the alleged recovery of illicit liquor or with the place



of occurrence. It is further submitted that for same offence the petitioner and his brother both have been implicated, which is not proper. Petitioner was not present at the place of occurrence and no 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 Excise Case No. C -III – 258 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 District Judge Exclusive Special Excise Court – 2, 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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