

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65628 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- GAUTAMBUDHNAGAR District- Siwan

Binod Tirki Son Of Kinu Tirki @ Tiwan Tirki Resident Of Village - Markuni,
P.S.- Mandar, District - Ranchi (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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 G.B. Nagar P.S. Case no. 01 of 2022 instituted for the offences under Section 30(a) Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 10 liters country made liquor near a brick kiln.

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 falsely been made accused in this case on the basis of mere suspicion. He has no concern either with the alleged recovery of illicit country made liquor or with the place of occurrence. The name of the



petitioner has been disclosed in this case by local Chaukidar. 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 considering the facts that the 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 G.B. Nagar P.S. Case no. 01 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 Special Excise Court no-1, 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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