

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61094 of 2022**

Arising Out of PS. Case No.-19 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Bablu Kumar Sah S/O Biswanath Sah R/O Village- Shishodih, P.S- Sadar
(Mobi O.P), Dist- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Braj Kishore Pd.(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 P.R. No. 19 of 2022 instituted for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 4.5 liters
country made liquor from a hut which belongs to co-accused
namely, Sulinder Paswan.

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. The hut from where
the recovery has been made, belongs to co-accused namely,
Sulinder Paswan and petitioner has no concern with the alleged
recovery of illicit liquor. Nothing has been recovered from the



petitioner's tempo which stands near the alleged place of occurrence and due to which the name of the petitioner transpired in this case. 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 fact that the recovery of 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 P.R. Case No. 19 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 2nd Additional Sessions Judge cum-Special Judge-1st (Excise Act), Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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