

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68409 of 2022

Arising Out of PS. Case No.-577 Year-2021 Thana- MADHAURAH District- Saran

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MOHIT KUMAR Son of Mangal Rai @ Mangal Prasad Yadav R/V- Masaha,
P.S- Madhaura Gaura O.P. Dist- Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-12-2022 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 Maddhaura (Gaura O.P.) P.S. Case no. 577 of 2021
instituted for the offence under Sections 30/30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 160 liters
illicit country made liquor from underneath water at the Chawar.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been made accused in this case on
suspicion. Petitioner has no concern with the alleged recovery
illicit liquor or with the place of occurrence. The name of the



petitioner came into light on the basis of secret information. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious or constructive 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 Madhaura (Gaura O.P) P.S. Case no. 577 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 2nd Exclusive Special Excise Court, Saran at Chhapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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