

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67466 of 2022

Arising Out of PS. Case No.-444 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Rambabu Kumar Son Of Jyotik Mukhiya @ Jotik Mukhiya Resident Of
Village- Basantpur, P.S.- Kundwachainpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Pushpa Sinha

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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 Ghorasahan P.S. Case no. 444 of 2022

instituted for the offence under Sections 30(a) and 41(i)

of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 405

liters of IMF liquor from the Wagon R Car.

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. Petitioner has no concern with the alleged recovery of illicit liquor. It is further submitted that petitioner is neither the driver nor the owner of said vehicle from which the recovery has been made and this fact is mentioned in Para 9 of the petition. Neither the petitioner was apprehended 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 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 Ghorasahan P.S. Case no. 444 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 Exclusive Special Excise Court No. 1, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

nirajkrs/-

(Sunil Kumar Panwar, J)

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