

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8234 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Tirpurari Kumar @ Tripurari Singh Son of Late Shaligram Azad Resident of village - Chhajan Harishankar, P.S.- Kudhani (Turki O.P.), District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 414, 34 of the Indian Penal Code and sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

Total 600 litres of foreign liquor has been recovered from a truck and one Tata Magic vehicle. Petitioner is alleged to have fled away after seeing the police party.

It is submitted that nothing has been recovered from conscious possession of this petitioner. Petitioner is neither driver nor owner of vehicles in question. The mandatory provision of search and seizure has not been followed. Petitioner



claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. II, Muzaffarpur in connection with Kudhani (Turki OP) P.S. Case No. 493 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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