

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35816 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- BALRAMPUR District- Katihar

Darshan Sah, aged about 42 years, male, Son of Durga Prasad, Resident of
Village - Molanpur, P.S. - Barsoi, Distt. - Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Balrampur P.S. Case No. 34 of 2023 G.R. No. 945 of 2023 dated
22.02.2023, instituted for the offence punishable under Section
30(a) of the Bihar Prohibition & Excise Act, 2016 of the Bihar
Prohibition & Excise Act, 2016.

3. Allegation is of recovery of 03 liter foreign liquor
from a motorcycle bearing Registration No. BR39J-3077.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. The petitioner is not named in the F.I.R and he has no
concern with the alleged liquor. During the course of
investigation, the said motorcycle was recovered which belongs



to the petitioner. It is further submitted that the co-villager took the motorcycle to purchase the medicine for his ailing mother of Nukullal, who is a co-accused. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Balrampur P.S. Case No. 34 of 2023; G.R. No. 945 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned In-charge-cum-Exclusive Special Excise Court No. 1, Katihar, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Khatim Reza, J)

Gaurav Kumar/-

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