

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57484 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Pappu Kumar Son Of Rampravesh Thakur R/O-Jhapaha Dih, P.S.-Ahiyapur,
Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 30-08-2023 Heard Mr. Ravi Ranjan, learned counsel appearing

on behalf of the petitioner and Mr. Mukesh Kumar Singh,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No. 141 of 2023 registered under Sections
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the F.I.R., recovery is
of 52 litres of foreign liquor of different brands from the hut in
question.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has no concern with the
alleged recovered liquor. The recovery was made from the hut
where the brother of the petitioner was found. Petitioner is not

involved in any manner in trade or consumption of the liquor. Learned counsel further submits that petitioner has one criminal antecedent in which he is on bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation, the liquor was recovered from the hut and petitioner has no concern with the alleged recovery, I am of the opinion that petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Judge, Excise Court-II, Muzaffarpur, Sasaram in connection with Excise P.S. Case No. 141 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in

paragraph No.3 of the bail application, this order will
automatically loose its force.

(Purnendu Singh, J)

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