

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49823 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- BHORE District- Gopalganj

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Kundan Kumar, aged about 32 years, Male Son of Sudarshan Ray, Resident of
Village- Parsa, P.S.- Parsa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bhore P.S. Case No. 08 of 2023 instituted for the offence
punishable under Sections 30 (a), 41 (i) of Bihar Prohibition and
Excise Act, 2016.

3. As per the prosecution case, total 130.320 liters of
foreign wine has been recovered from the tempo.

4. Learned counsel for the petitioner submits that
petitioner is the owner of the tempo which is used as a
commercial vehicle which was driven by the driver and the
petitioner has no knowledge or concerned with the recovered
wine. Nothing incriminating articles has been recovered from
the possession of the petitioner. Petitioner has no criminal



antecedent.

5. Learned A.P.P. for the State opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner above named be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Excise Court No. 1, Gopalganj in connection with Bhore P.S. Case No. 08 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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