

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49270 of 2023

Arising Out of PS. Case No.-325 Year-2022 Thana- BHORE District- Gopalganj

MUKESH PRASAD SON OF RAMCHANDRA PRASAD RESIDENT OF
VILLAGE - DOMANPUR TOLA, GOSAISIYA, P.S. - BHORE, DISTRICT -
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

3. As per the prosecution case, 44 liter of country
made liquor has been recovered from a motor cycle bearing
registration No. UP52AN-6478 kept in a gunny bag.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in the case. No incriminating article has been
recovered from the conscious possession of the petitioner and he
is no way concerned with the alleged recovery. Petitioner is
neither driver nor owner of the vehicle in question and he has



been made accused in this case only on suspicion. Petitioner has got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Additional Sessions Judge-II-cum- Special Judge, Excise Court-I, Gopalganj in connection with Bhore PS case No. 325/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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