

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53250 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Vikash Ram @ Bikash Ram Son Of Manoj Ram Resident Of Village-
Madhubani Ghat, Ps- Muffasil, Distt- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Muffasil P.S.Case No. 297 of 2023
instituted under Section 30(a), 32 and 41(i) of the Bihar
Prohibition & Excise Amendment Act.

3. As per the prosecution case, 10 liters country
made Chulai liquor was recovered from the house of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Recovery
of illicit liquor was not made from the house of the
petitioner, it was recovered from an open place and the



same is accessible to the general public and the seizure list is not complying under the provisions of Section 100 of the Cr.P.C. He further submits that petitioner has got one criminal antecedent in which he is on bail.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner 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 Exclusive Special Judge Excise, East Champaran at Motihari in connection with Muffasil P.S.Case No. 297 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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