

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53279 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Sri Bhagwan Singh Son Of Late Ram Balak Singh Resident Of Village -
Pakri, Ara, P.S. - Ara Nawada, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ara Muffasil P.S. Case No. 99 of 2023 instituted under
Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
total 90 litres of country-made wine kept in the bag on the
motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that motorcycle of the petitioner was
theft away on 22.12.2022 for which he had given *Sanha* to the
concerned police station. Petitioner is neither concern with the
recovered wine nor concern with the arrested co-accused person.



Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes 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 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 Excise Court No. I, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 99 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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