

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54861 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- TARARI District- Bhojpur

RODHAN KANU @ RODHAN SAH, Male, aged about 29 years, SON OF
LATE KAPIL KANU R/O VILLAGE- KARATH, P.S.- TARARI, DISTRICT-
BHOJPUR Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Tarari P.S. Case No. 97 of 2023 dated 08.06.2023
registered for the offence(s) punishable under Section(s) 30(a)
of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that petitioner has fair and clean
antecedent and the instant matter relates to the recovery of 4.50
litres of illicit liquor and the same is stated to have been
recovered in front of the house of this petitioner which is an
open place, petitioner has been dragged in this case mainly on
suspicion and the alleged offence of the FIR does not attract
against him.

4. Learned APP appearing for the State has opposed
the bail prayer.



5. Heard both the sides and perused the FIR and the seizure memo. As per seizure memo, the alleged liquor was recovered in front of the house of this petitioner and it is not mentioned in the said memo that the said place was in the possession of this petitioner and as per FIR, when the petitioner's house was raided, no family member of the petitioner was found present and petitioner has fair and clean antecedent. In the light of these circumstances appearing from the FIR and seizure memo, the alleged offence of FIR does not *prima facie* attract against this petitioner hence, in my opinion, petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Tarari P.S. Case No. 97 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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