

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53264 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- BODHGAYA District- Gaya

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Akash Kumar Son Of Mango Saw Resident Of Village - Talee, P.S.- Bodh
Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

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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 Bodhgaya P.S. Case No. 125 of 2023 instituted under
Section 30 (a) of Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, there is total 32 litres
of illicit foreign liquor was recovered from the house of the
petitioner and his father was arrested and the petitioner is
alleged to have fled away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. There is no
recovery from the conscious possession of the petitioner and
also he has no concern with the recovered liquor. Petitioner is a
student having 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 - I, Gaya in connection with Bodhgaya P.S. Case No. 125 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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