

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58676 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- ROH District- Nawada

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Ajay Kumar S/O Mohan Mahto R/O Roh Niche Bazar, P.S.- Roh, District-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 37(b) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the total recovery of 3 litre country-made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner. Counsel submits that petitioner has not been apprehended from the place of occurrence rather his name has figured in this case by virtue of the confessional

statement of the person who was driving the motorcycle.

5. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks' from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 02, Nawada, in connection with Roh P.S. Case No. 70 of 2023, dated 18.02.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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