

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57693 of 2023

Arising Out of PS. Case No.-283 Year-2023 Thana- BARAULI District- Gopalganj

Ashok Prasad, aged about 40 years, Son of Late Bachcha Prasad Resident of
Village- Rupanchhap, P.S -Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the State : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barauli P.S. Case No. 283 of 2023 dated 02.07.2023 instituted under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 459 litres of country made liquor from the *Karkati* type house of co-accused Harendra Singh and the name of the fled away accused persons including the petitioner has been disclosed by the *Chowkidar*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The petitioner has no



concern with the recovered liquor and the *Chowkidar* has given his name due to one criminal antecedent. There is no recovery from the conscious possession of the petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 each to the satisfaction of the learned Additional District and Sessions Judge II-cum- Special Judge Excise Court No. 1, Gopalganj in Barauli P.S. Case No. 283 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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