

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56547 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- KANHAULI District- Sitamarhi

Prince Kumar @ Prince Kumar Rai, aged about 18 years, Gender-Male, S/o
Ram Naresh Rai, Resident of village - Bharsar, P.S. - Kanhauli, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the State : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection
with Kanhauli P.S. Case No. 01 of 2023 dated 01.01.2023
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. As per the prosecution case, 18 liters of Nepali
Saufi liquor and 4.320 liters English wine was recovered from
the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the
alleged motorcycle does not belong to the petitioner. Nothing
has been recovered from the conscious possession of the
petitioner and due to village politics, the local *Chowkidar* has



falsely disclose the name of the petitioner. The petitioner has no criminal antecedent.

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 Exclusive Special Excise Court-I, Sitamarhi/concerned Court in Kanhauli P.S. Case No. 01 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

P. Kumar

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