

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57256 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- SALAKHUA District- Saharsa

Baua @ Baua Kumar Son of Sitavi Yadav Resident of Village - Goriyari, P.S.
- Salkhua, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2.The petitioner apprehend his arrest in connection with Salkhua P.S. Case No. 284 of 2022 registered for the offence punishable under Section 30(a) of Bihar Excise and Prohibition Act, 2016.

3. As per prosecution case, there is recovery of 160.92 litres foreign liquor from a hut.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has falsely been implicated in this case. It is submitted that the recovery has not been made from the conscious possession of the petitioner. He was not present at the place of recovery nor the seized prohibited liquor belongs to the petitioner. The



petitioner has no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner above named be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned Exclusive Special Judge (Excise) Saharsa in connection with Salkhua P.S. Case No. 284 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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