

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58280 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Tuna Yadav S/O - Dilar Yadav R/O Village - Mani Ram Ke Tola, P.S. - Ara
Muffasil (DHOBAHA O.P.)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ara Muffasil (Dhobaha O.P.) P.S. Case No. 257 of 2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 17.280 litres illicit liquor was recovered from the bushes near the bank of river.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Petitioner has no concern with the said recovered liquor. There is no recovery from the conscious possession of the petitioner, he was not present at the place of occurrence. Petitioner has one 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 their arrest or surrender before the Court below within six weeks from today, the petitioners 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 No.1, Bhojpur at Ara in connection with Ara Muffasil (Dhobaha O.P.) P.S. Case No. 257 of 2023, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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