

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56867 of 2023

Arising Out of PS. Case No.-274 Year-2022 Thana- SISWAN District- Siwan

Niraj Kumar Sah, Gender-Male, aged about 22 years, Son of Surendra Sah
Resident of Village Purushottam Mura, P.S Siswan, District Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate
For the APP : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Siswan P.S. Case No. 274 of 2022 dated 10.11.2022 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, there is total recovery of 18.5 litres of Mahua country made liquor from the sack.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner and the recovery was from the village and there is no specific place mentioned in the FIR. The petitioner has no concern with the seized article. 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 No. II, Siwan in Siswan P.S. Case No. 274 of 2022, 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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