

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57885 of 2023

Arising Out of PS. Case No.-258 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Rajesh Bind Son of Sudama Bind Resident of village - Gaur Kathak, P.S. -
G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
G.B. Nagar P.S. Case No. 258 of 2023 instituted under Sections
30(a), 34, 36 and 30(D) of the Bihar Prohibition and Excise Act,
2016.

3. As per the prosecution case, 30 liters of country
made liquor was recovered from the joint family house of the
petitioner and co-accused Dinesh Bind.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Nothing incriminating material has been recovered from
the physical conscious possession of the petitioner and the said



recovery is done from the joint family house and the petitioner is not concerned with the said recovered liquor. The petitioner has no criminal antecedent. Similarly situated co-accused, namely, Rajesh Bind has been granted anticipatory bail by this Court vide order dated 29.08.2023 in Criminal Miscellaneous Application No. 56840 of 2023.

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. 1, Siwan in G.B. Nagar P.S. Case No. 258 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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