

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58646 of 2023

Arising Out of PS. Case No.-320 Year-2022 Thana- BELAGANJ District- Gaya

Chhatish Kumar @ Satish Kumar Son Of Vijay Yadav Resident Of Village-
Gobraha Tola Jahana, Ps- Belaganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution, total recovery of 10 liter *desi* wine is the subject matter of the present case.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. Counsel for the petitioner submits that from the seizure list it transpires that the said recovery has been made from a place situated near Januma river. He submits that the name of the petitioner has been figured in this case by virtue of disclosure made by the *Chowkidar*. He submits that antecedent of the petitioner is clean.

He also submits that petitioner was neither apprehended from the place of occurrence nor anything incriminating recovered from his possession.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise, Court No.2, Gaya, in connection with Belaganj P. S. Case No.320 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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