

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57353 of 2023**

Arising Out of PS. Case No.-297 Year-2023 Thana- BAISI District- Purnia

Noor Jamal (M), aged about 32 years, son of Late Martauza Village- Baraili  
PS- Baisi District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Kumar, Advocate  
For the State : Mr. Manoj Kumar, 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 apprehends arrest in connection with Baisi P.S. Case No. 297 of 2023 dated 08.07.2023 instituted under Sections 272 and 273 of the Indian Penal Code and 30(a)/ 38 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret information police seized total 421.200 litres intoxicated substance (Toddy) and other articles from the Phoos made house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is neither concern with the said Phoos house nor the alleged intoxicated substance which has been recovered and he has been falsely implicated in this case due to village politics.



The entire allegation levelled against the petitioner in the FIR is false and concocted with a view to implicate him. 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 Judge Excise-I, Purnea in Baisi P.S. Case No. 297 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

P. Kumar

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