

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58685 of 2023

Arising Out of PS. Case No.-192 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Saurav Kumar Son Of Ajay Singh Resident Of Village Hemanpur, P.S.
Mohiuddin Nagar, District Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 of the I.P.C. read with Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the total recovery of 4.875 litre country-made foreign liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the said recovery has not been made from the possession of the petitioner rather it has been made from the public place. Counsel submits that the antecedent of the petitioner is clean.

Counsel submits that the petitioner has neither been apprehended nor anything has recovered from his possession. Counsel submits that the name of the petitioner has figured in this case on the basis of secret information.

5. Learned A.P.P. for the State opposes the prayer for bail and accepts that the recovery has not been made from the possession of the petitioner.

6. In the present facts and circumstances of the case and the submissions made above, 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 six weeks' from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)- 02, Samastipur, District- Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 192 of 2023, dated 17.07.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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