

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58802 of 2023

Arising Out of PS. Case No.-488 Year-2023 Thana- MALSALAMI District- Patna

Vikas Kumar Son of Police Ray, Resident of Village- Damrahi Ghat, Pani Tanki, P.S.- Malsalami, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP.

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 is apprehending his arrest in connection with Malsalami P.S. Case No.488 of 2023 dated 14.07.2023, lodged under Sections 30(a)/36 of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per prosecution case, the total recovery of 225 liter of Mahua wine is the subject matter of present case.

4. Learned counsel for the petitioner submits that the recovery has not been made from the possession of petitioner. He further submits that from the seizure list, it transpires that the said recovery has been made near a public place. He also submits that the name of petitioner has been figured in this case by virtue of confessional statement of the apprehended person.



Learned counsel submits that antecedent of petitioner is clean.

5. Learned A.P.P. 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 his arrest or surrender before the learned Court below within a period of six 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 Special Judge Excise, Patna City, in connection with Malsalami P. S. Case No.488 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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