

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58391 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Nand Kishor Majhi @ Nand Kishor Manjhi @ Nandkishor Manjhi Son Of
Yogi Majhi Vill Jagatiya Mushar Toli Ward No 3 Ps Pakaridayal Dist East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Pakaridayal P.S. Case No. 139 of 2023 instituted under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 10 litres of illicit country-made liquor was recovered near the house of the petitioner and the petitioner fled away from the place of occurrence during police raid.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no recovery from the conscious possession of the petitioner. Petitioner was neither apprehended nor was present at the place of occurrence. There is no material found against the



petitioner. Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

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 to each to the satisfaction of the learned Exclusive Special Excise Court No. 2, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 139 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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