

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58656 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Abhishek Kumar @ Gidar Kumar Son Of Late Ranjay Singh Resident Of
Village - Ambari, P.S. - Shekhopursarai, District – Sheikhpura.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, 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
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 Act.

3. As per the prosecution, total recovery of 5 liter 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 is clear that the said recovery was not made from the possession of the petitioner rather it was made from a public place. He submits that petitioner was neither apprehended from the place of occurrence nor from his physical possession. He further submits that the name

of the petitioner has been figured in this case by virtue of statement made by the information provided by the public and secret information.

5. Learned APP for the State opposes the prayer for bail but submits that nothing was recovered from the possession of the petitioner nor he was apprehended from the place of occurrence.

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 A.D.J.-II, Sheikhpura, in connection with Sheikhopur-Saria P. S. Case No.106 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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