

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58935 of 2023

Arising Out of PS. Case No.-208 Year-2020 Thana- ARARIA District- Araria

Sudhir Mandal Son Of Ramchandra Mandal Vill Basantpur Devgaon, Ps-
Ajamnagar, Dist- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners is apprehending arrest in connection with Araria (Bairgachhi) P.S. Case No.208/2020 registered on 09.03.2020 for the offences punishable under Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, a total of 891 litres of illicit foreign liquor has been recovered from a vehicle which is the subject matter of the present case.

3. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR, rather his name has figured in this case by virtue of the confessional statement of the driver and khalasi of the vehicle from where the alleged seizure



has been made. The antecedent of the petitioner is clean. It is further submitted that neither the petitioner was apprehended from the spot nor any incriminating article has been recovered from his possession.

4. Learned APP for the State opposes the prayer for bail.

5. In the facts and circumstances, let the above named petitioners be released on anticipatory 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 ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Araria in connection with Araria (Bairgachhi) P.S. Case No. 208/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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