

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60506 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Naresh Pandit S/o Jhansi Pandit, Resident of Village-Mahana Tara, P.S.-
Motipur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Motipur P.S. Case No.207 of 2023 dated 06.07.2023 instituted under Sections 272 & 273 of the Indian Penal Code read with Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total recovery of 7.875 liter of illicit foreign liquor from the hut of petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and the recovery of liquor is from bathan, an open place easily accessible to anyone and not from the hut of petitioner as alleged. He further submits that petitioner has no concern with the alleged recovery of illicit liquor. Learned counsel also submits that antecedent of petitioner is clean.



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/- (Rupees Ten Thousands) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Judge Excise Court No.II, Muzaffarpur in connection with Motipur P.S. Case No.207 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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