

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59053 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- TILAUTHU District- Rohtas

Jamuna Baitha S/O Dalali Baitha R/O Village- Saraiya, Ps. Amjhor District
Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Tilathu P.S. Case No. 38 of 2023 instituted under Section
30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 495 litres of
country made liquor, one Mahindra Car and one motorcycle
have been recovered from open place situated near Jarha Son
River Ghat near village- Bikram Bigha.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. There is no recovery made from physical or conscious
possession of the petitioner. He was not named in the F.I.R. and
he was not present at the place of occurrence. He has no concern



with the said recovered liquor. The Motorcycle of the petitioner had been recovered from the main road when the petitioner had gone to attend the natural call. 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 Court of Exclusive Special Excise Court No.2 cum Additional District and Session Judge, Rohtas at Sasaram in connection with Tilauthu P.S. Case No. 38 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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