

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60535 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- KALYANPUR District- East Champaran

Niraj Kumar, Son Of Jailal Rai, Resident Of Village- Gariba Balua, PS-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 229 of 2023 registered for the offences punishable under Sections 30 (a), 41 (i) of the Bihar Prohibition and Excise Act.

3. Total recovery of 129.600 litres of foreign liquor made from the hut of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and the hut from where recovery has been taken place is the joint family property and petitioner has no concern with the seized liquor. Petitioner has no criminal antecedent.



5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Kalyanpur P.S. Case No. 229 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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