

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60767 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md. Rasul Son of Late Md. Wahid R/o vill - Jamghatti, P.S. - Baseti, Distt. -
Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, 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 Azamnagar (Salmari) P. S. Case No.229 of 2023 instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 432 litres of foreign liquor
from the Bolero Pickup Van in question.

4. Learned counsel for the petitioner submits that the
petitioner is the owner of the said vehicle and he has no concern
with the seized liquor. The said vehicle was used for carrying
the passengers and the petitioner has falsely been implicated in
this case. There is no recovery from possession of the petitioner.
The 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Exclusive Excise Court No.2, Katihar in connection with Azamnagar (Salmari) P.S. Case No.229 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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