

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60656 of 2023

Arising Out of PS. Case No.-238 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Monu Kumar Thakur S/O Birju Thakur R/O Village- Karrakh, Ps. Bibhutipur,
Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi. Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, 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 Bibhutipur P.S. Case No. 238 of 2023 instituted under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 918 litres of illicit foreign liquor was recovered in the Government tubewell house situated in the village Karrakh. The allegation is that the said seized liquor was brought by the accused persons including the petitioner.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has falsely been implicated in this case due to village politics. He further submits that petitioner was neither arrested on the spot nor any recovery has



been made from the conscious possession of the petitioner. The Petitioner has no concern with the other co-accused persons and the seized liquor. 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 Special Judge, Excise-I, Samastipur in connection with Bibhutipur P.S. Case No. 238 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashutosh/-

U		T	
---	--	---	--

