

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61343 of 2022**

Arising Out of PS. Case No.-77 Year-2022 Thana- AMNAUR District- Saran

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AZAD KUMAR SINGH @ AZAD SINGH S/o Late Krishna Singh R/v-
Parashurampur, P.S.- Amnour, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER**

3 25-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Amnour P. S. Case No. 77 of 2022 registered for the offences punishable under Sections 30 (a) and 30(c) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 430 litres of illicit country-made liquor and some equipments used in preparing of the illicit liquor were recovered from the paddy field of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from conscious possession of the petitioner. The



petitioner has no concerned with the alleged recovery. The petitioner was not present at the place of occurrence. The alleged recovery has been made form open place which is accessible to anyone. Learned counsel further submitted that no case is made out against the petitioner. The petitioner is accused in one more criminal case which is not related to the Excise Act as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chapra in connection with Amnour P. S. Case No. 77 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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