

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64284 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- MANJHI District- Saran

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Brajesh Kumar Singh S/O Birendra Kumar Singh Resident Of Village-
Chakbihari, P.S Gourichak, Fatwah, District Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopi Jha, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Manjhi P.S. Case No. 309 of 2022 registered for the offences punishable under Section 30/30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, there is recovery of 81 litres English wine from the car of the petitioner and co-accused persons have been arrested on the spot.

4. Learned counsel for the petitioner submits that petitioner is the owner of the seized vehicle which is a commercial vehicle and used for public carrier. Petitioner had no knowledge about the seized liquor. Apprehended accused persons have not made any allegation against the petitioner.



Petitioner has two criminal antecedents which is not under Excise Act. Petitioner is ready to co-operate in the investigation.

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, 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 Exclusive Excise- II, Saran in connection with Manjhi P.S. Case No. 309 of 2022, 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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