

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65514 of 2023

Arising Out of PS. Case No.-331 Year-2023 Thana- MAHUA District- Vaishali

Bachhu Kumar, Male, aged about 35 years, son of Bindeshwar Ray, resident of village- Mirja Ngar, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Mahua PS Case No.331 of 2023 dated 31.05.2023, instituted under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 24 liters liquor from the field of Md. Kaimur.

4. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner. Petitioner is not the owner of the said field from where recovery of illicit liquor has been made. It is further submitted that similarly situated co-accused, Sanjeev Kumar and Vikas Kumar, have been granted anticipatory bail by co-



ordinate Benches of this Court vide Cr. Misc. No. 48846 of 2023 and Cr. Misc. No.47172 of 2023 respectively. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 each to the satisfaction of the In charge Special Excise Court 2nd -cum- Additional District & Sessions Judge, Vaishali at Hajipur, in Mahua PS Case No.331 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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