

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65542 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- MAHARAJGANJ District- Siwan

Nagendra Singh son of Late Anirudh Singh Village- Usti Mirzapur Ps-
baniyapur Dist- Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh Adv.

For the Opposite Party/s : Ms.Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Maharajganj P.S. Case No. 45 of 2023 dated 13.02.2023, instituted for the offence punishable under Sections 30(a), 36,41(i) and 38 of the Bihar Prohibition and Excise Act, 2016.

3. There is recovery of 71.550 litres of IMFL from a motor cart (*Jugar Gadi*). It is alleged that one person was apprehended at the spot along with the said motor cart (*Jugar Gadi*). On interrogation, the apprehended person disclosed that the said liquor is of Nagendra Singh and gave the number of mobile phone who has booked the liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case. It is further submitted that only on the basis of disclosure made by the apprehended persons, the petitioner has been made accused in this false case. Petitioner has no concern with the said seized liquor. The petitioner has no criminal antecedent, as per statement made in para 3 of the petition.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender before the learned 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 learned Special Judge Excise-I, Siwan, in connection with Maharajganj P.S. Case No. 45 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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